

The Deacon – Phoenix of Roman Catholic Clergy

by

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Thesis submitted in partial fulfillment of
the requirements for the degree of Doctor of Ministry
in the Divinity School of Duke University

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ABSTRACT

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Abstract

The challenge is the Roman Catholic Church's need for a bit more *aggiornamento* in the ecclesiology of parochial ministry. The persistent priest shortage has been met with provisional solutions, harboring hopes that increased ordinations of new presbyters would replenish the altars now empty. The restoration of the deacon in the United States has resulted in ordination of nearly eighteen thousand older Caucasian men to a service more attuned to the subordinated liturgical diaconate that fell into extinction a millennium ago. Instead, I believe that the model of the first deacons called to serve by the apostles to steward the temporal administration of the church shows this order's true calling, as personified by the great service of their medieval archdeacon successors. The challenge is to draw from this history a theology intended for the diaconate, seek out its canonical limitations and establish a new ecclesiology ready for implementation in praxis today.

In this work I will first explore today's challenges to ministry in the Roman Catholic Church in the United States and the circumstances surrounding the priest shortage. A brief quantitative analysis of the church and its ordained ministers will be contrasted to the sociological trends they paralleled. Then the historical church legislation and the leaders that influenced it will be examined to ferret out theological and canonical possibilities and limitations for the restored diaconate's service. Analyzing the ordination, approved diaconate functions, and possible roles in a parish where a priest is not serving as pastor will be addressed by investigating Vatican II Conciliar documents, the codes of canon law, and guidelines from both church wide universal law and the United States

Catholic Conference of Bishops.

In examining this history of the origin of the diaconate, its greatest success came in serving the temporal works of the church. The diaconate in theological and canonical terms suffers no divine legal blockades from being populated by a truer more experientially matched cross section of God's people in the pews. The possibilities for the role of the deacon in the future are married to the seriousness of the commitment to the permanence of its restoration; it is here that I propose the church must seek the theological possibilities for a more fully evolved sphere of ministry for the deacon and a canonical approach to a new ecclesiology implementing an ecclesiastical role for the deacon in the parish reporting to his bishop. The prescriptive elements will then seek out these supportive structures in order to insure beneficial orthopraxis in diaconal ministry. My conclusion is that the deacon can once again, as a phoenix rise or fall to ashes, raised by the ecclesiology of the Apostle's first calling of the seven to serve or left to fall as a subordinated solely liturgical order.

Dedication

To Barbara

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Acknowledgements

To the Professors who prepared the writer for this undertaking during his years at Vanderbilt University Divinity School, the writer wishes to express sincere gratitude, particularly to Dr. J. Patout Burns, Bishop Joe Pennel, Dr. Forrest Harris, Dr. Victor Anderson, and Dr. Graham Reside. In addition, a particular word of special thanks is due to Dean James Hudnut-Beumler who gave endlessly of his time to encourage continued studies and provided a deeper look into church as an institution, and to Dr. Douglas Meeks who in the end was the one who inspired the writer to study at Duke.

Further, the writer would like to thank Father Cyprian Davis for his support, spiritual direction and great inspirational wisdom; that a good canonist is not solely trained in the technicalities of the canon law, but also in the theology beneath the ecclesiology. A word of acknowledgement is also due to Dr. Kenneth Pennington for his vigorous support of the writer's examination of the ecclesiology of the medieval church.

Finally, the writer wishes to express appreciation to Reinhard Hütter for his insights as reader, to Dr. Craig Hill for his support throughout the research, and to Bishop Willimon who inspired the paper's subject and its humble path of questioning authority within a leadership structure. Special appreciation is ultimately due to Dr. J. Warren Smith for his direction of this study and his unlimited kind encouragement during the entire process of bringing this work to fruition.

1.0 Institutional Challenges

1.1 Introduction

And the twelve called together the whole community of the disciples and said, “It is not right that we should neglect the word of God in order to wait on tables. Therefore, friends, select from among yourselves seven men of good standing, full of the Spirit and of wisdom, whom we may appoint to this task.”¹

Acts 6:2-3

From the time of the Early Church, Christians have been called to service in ministry. Over many centuries the ordination of certain members of the faithful has served to mark their character with gifts and granted them the grace to serve the specific responsibilities of their order. The Roman Catholic Deacon is such an order, and has once again, as miraculously as a phoenix, risen from the ashes to minister to the faithful. The Roman Catholic Church since the Second Vatican Council has been mandated through the proclamation of *Lumen Gentium* to seek salvation for the entirety of God’s people. The signs of the times challenge church leaders to structure all levels of ministerial undertakings in the manner best enabled to respond to the people of God. First, and in the most general sense the scale of this call demands that an institution make a wide

¹ *The Holy Bible: New Revised Standard Version*, (Nashville: Abingdon Press, 2003), Acts 6:2–3. New Revised Standard Version “NRSV” will be employed in all future scriptural citations unless noted otherwise.

reflection on how its ministers effect such an evangelization. *Lumen Gentium* employs the words of St. Augustine to suggest the humility this challenging reflection merits:

What I am for you terrifies me; what I am with you
consoles me. For you I am a bishop; but with you I am a
Christian. The former is a duty; the latter a grace. The
former is a danger; the latter, salvation.²

Reflecting on the challenge in *Lumen Gentium* to seek the salvation of all souls should terrify every minister. Then on a more specific level, the church must reflect and inquire anew, who is the minister who can best reach God's People in each of the church's missions?

The Second Vatican Council opens *Lumen Gentium* with, "Christ is the Light of nations. Because this is so, this Sacred Synod gathered together in the Holy Spirit eagerly desires, by proclaiming the Gospel to every creature, to bring the light of Christ to all men, a light brightly visible on the countenance of the Church".³ This institutional mandate presents a challenge to the pastoral ministry of the Roman Catholic Church in the United States; it is a challenge that has expanded since 1965 with both general and specific ramifications. While the total self-identified survey-based United States Catholic population has grown from 48,500,000 in 1965 to 76,700,000 in 2014, the total number of Priests has fallen from 58,632 to 38,275⁴. The Roman Catholic Church dilemma has

² Augustine, Sermon 340, 1: PL 38, 1483; Quoted in *Lumen Gentium*, No. 32

³ Vatican II, dogmatic constitution *Lumen Gentium*, Flannery, Austin, ed. *Vatican Council II: The Conciliar and Post Conciliar Documents*. 2nd ed., (Northport, NY: Costello Publishing), 1996.

⁴ CARA Services, *Church Statistics 2014*, Center for Applied Research in the Apostolate Georgetown University, (Washington, D.C.: CARA, 2014), 1.

been described with quantitative simplicity as: *expanding pews and emptying altars*.

In the most general terms: the Roman Catholic Church has a priest shortage; vocations to the priesthood have fallen dramatically enough to leave many parish churches without a priest to serve as pastor. The ministerial challenge can be further defined in more specific terms by the degree of correlation or separation between the socio-cultural elements (gender, ethnic, marital criteria) constituting the ordained clergy cohort and the people of God. So to our culture today, secular life in North America is dynamic, it is a context, which provides many icons and values that challenge traditional church thinking. The dynamics of the North American culture combined with the demands created by the complexity of conducting ministry today call for extraordinary ministry when compared to the requirements of ministry half a century ago. Our cultural heritage is quickly changing as well, “According to the 2006 Faith Matters survey, 35 percent of all American Catholics today report Latino ethnicity.”⁵. In light of such dynamic and challenging environment, how might a renewed clergy best participate in an expanding scale of evangelization? This is not a question of mere ministerial praxis, but one of ecclesiology.

This work will explore today’s challenges to ministry in the Roman Catholic Church in the United States, the diaconate in historical and canonical terms and the possibilities for the role of the deacon in the future. The prescriptive elements will then seek out a new ecclesiology, one more supportive of beneficial orthopraxis in diaconal

⁵ Pew Hispanic Center, *Changing Faiths: Latinos and the Transformation of American Religion*, ed. Roberto Suro, (Washington, D.C.: Pew Research Center, 2007), 1.

ministry. I believe this history will show that the origin of the diaconate and its greatest success came in serving the temporal works of the church; it is here that I propose we must seek the theological possibilities for a more fully evolved sphere of ministry for the deacon.

1.2 Priest Shortage

During the half century following the Second Vatican Council the Roman Catholic Church in the United States has experienced significant unprecedented changes in the make up of its ordained clergy. In 1965 there were virtually no Permanent Deacons in the United States, by 2014 they numbered 17,464⁶. During this same period of time the total number of Priests fell from 58,632 to 38,275⁷. In 1965 there were 17,637 Roman Catholic parishes in the United States with only 549 without a resident priest. In 2014 the numbers of parishes remained similar at 17,483. However now with fewer priests and larger congregations 3,496 parishes are without a priest pastor.⁸

⁶ CARA Services, *Church Statistics 2014*, 1.

⁷ Ibid.

⁸ Ibid.

Table 1. United States Population of Priests, Catholics and Parishes

	1965	1985	2005	2014
Total Priests	58,632	57,317	41,339	38,275
Diocesan Priests	35,925	35,052	28,094	26,265
Religious Priests	22,707	22,265	13,305	12,010
Parishes	17,637	19,244	18,191	17,483
Parishes without a resident Priest Pastor	549	1,051	3,251	3,496
U.S. Catholic Self Identified Population	48.5 m	59.5 m	74.0 m	76.7 m

Source: CARA 2014⁹

The above data portray an accelerating shortage of priests available to pastor parishes; historically the number of parishes without a resident priest has increased by over 500 per cent from 1965 to 2014. Simultaneously, the servant church's ability to model and teach the gospel was impacted by the decrease in the number of religious order sisters and brothers. According to CARA Services United States Data from 1965 to 2014 total Religious Brothers fell from 12,271 to 4,318 and total Religious Sisters fell from 179,954 to 49,883.¹⁰ Religious brothers and sisters provide diocesan parishes with many services, including health care, charitable activities, spiritual retreat formation and

⁹ Ibid.

¹⁰ Ibid.

training to mention only a few. The diminishment of the historic importance of religious sisters as role models within the Catholic school systems is worthy of particular note when we move on to examine the potential future roles for the deacon.

One component essential to the analysis of how the church should best fulfill its needs for ministry is to determine if the shortage of priests in the United States is best understood as a temporary shortage. The fifty-four year trend line indicates a priestly population that is shrinking, aging, less active in ministry and that ordinations are insufficient to reverse this trend.

Table 2. Population of Total Priests, Priestly Ordinations, and Priest Activity levels

	1965	1985	2005	2014
Total Priests	58,632	57,317	41,339	38,275
Priestly Ordinations	994	533	454	494
Diocesan Priests Active in Ministry	94%	84%	70%	68%

Source: CARA 2014¹¹

As one might deduce from the above data the priesthood in the United States is aging; Mary Gautier and Paul Perl calculated that the mean age of total priests in the United States was aged 35 in 1970 and became aged 63 by 2009.¹² These changes present

¹¹Ibid.

¹² Notes regarding priest age estimates: The 1970 data set from the American Catholic Priesthood Study is not publicly available. Therefore, the 1970 data reported in this book come from Greeley, 1972, and other

two primary potential conclusions that might impact future policies of the United States diocesan leadership, as well as legislation within the Apostolic See. First, in the United States there exists a challenge to effective ministry presented by the shortage of Priests, their increasing age, and their demographic profile. Secondly, the definition of the current shortage of priests, as temporary, might need reconsideration in light of the signs of our times.

1.3 Changes in the Pews

The contextual environment within the pews is one of change and is complicated by the human resource challenge of insufficient clergy. While the total self-identified survey-based United States Catholic population has grown, it has also changed in response to signs of the times, which surround it. Religious faith and its practice might be considered in any number of manners, a brief quantitative overview best meets our initial purposes. Statistically, the United States Roman Catholic Church has experienced a reduction in the percentage of members attending mass; it is estimated that members attending mass weekly has declined from 55 percent in 1965 to 24 percent in 2014.¹³ The

published sources. In some cases, the sources have only reported separate percentages for diocesan and religious priests; when necessary we derived estimates for all 1970 priests by weighting based on the numbers of diocesan and religious priests. We obtained the data sets for the 1985, 1993, and 2001 studies from the Association of Religion Data Archives (ARDA) and employed the weights provided with those data sets. These numbers may vary by 1 or 2 percentage points from results reported elsewhere, due to the particular weighting variables employed. Is shown by Mary Gautier and Paul Perl, *Same Call, Different Men*, (Collegeville, MN.: Liturgical Press, 2012), Kindle Edition, 497.

¹³ CARA Services, *Church Statistics 2014*, 1.

total number of adults reporting themselves as former Catholics has risen from 7.5 million to 32 million, since the time it was first recorded in 1975, to 2014.¹⁴

Whom we seek to evangelize plays a major role in determining how the church can provide most effective ministry today; populations vary widely from region to region in their social dynamics, ethnic background, language and culture. Hence, the challenge of providing a minister whose life experience is more related to that of the congregation will need to appreciate women, Hispanics and youth to mention a few. In example, the PEW Hispanic Center reports “...more than half of Hispanic Catholics identify themselves as charismatics, compared with only an eighth of non-Hispanic Catholics. While remaining committed to the church and its traditional teachings, many of these Latino Catholics say they have witnessed or experienced ...divine healing and direct revelations from God.”¹⁵

“In short, the future of the U.S. Catholic Church is largely a Latino future, because just as white ethnic Catholics have rushed out one door of the Church, they have been replaced by new Latinos rushing in the other door.”¹⁶ The work of Putnam and Campbell in *American Grace* brings home the importance of the cultural background of congregants to their worship and religiosity and hence their pastoral needs from clergy. Latino Catholics are quickly becoming among the largest stakeholders in the United States Roman Catholic Church; retention will require well trained ordained clergy who

¹⁴ Ibid.

¹⁵ Pew Hispanic Center, *Changing Faiths: Latinos and the Transformation of American Religion*, , 1.

¹⁶ Robert D. Putnam and David E. Campbell, *American Grace*, (New York: Simon & Schuster, 2010), Kindle Edition, 4430.

are prepared to be role models for, and actively engaged with, their entire congregation especially their youth. The connection between clergy and pew is not only ethnic, cultural, or age driven but it is also experiential; communication is enhanced in ministry through the affirmations provided by some common ground and then trust is more easily established.

The non-quantifiable element church faces in evangelization is the influence of secularization; it is like the elephant in the room, its presence has changed everything. How to address it is a theological challenge. The decline of religious faith or practice in the face of a vastly changed secular environment requires careful consideration when examining ministerial praxis. Significant religious authority has been lost as a part of the faithful's response to the church sexual abuse crisis. This authority might prove to be difficult to regain. This represents a crisis in the pews; however, it seems worthy to consider that religious faith in the pews might not be directly correlated to the acceptance of church religious authority.

Certainly, we might need to look again at the context of religiosity in the world rather than inside the church alone to understand the drop in priestly effectiveness and in vocations. The impact of media in the life of the faithful continues to be accelerating the introduction of new sources of authority to their conscience. In the period since the Second Vatican Council church structures began losing authority in the world; the old days of tradition and inherited religious values began to vanish. Priests were leaving the priesthood and marrying former nuns; families began to change.

Andrew Greeley suggests that the Catholic revolution of the post Vatican II period was driven primarily by the fact that the church, which was perceived as eternally unchanging, was changing. He notes that the Roman Catholic faithful vigorously engage “gracious images of God”(and His Mother Mary), suggesting a uniquely Catholic imagination that affects their lives and keeps them in the church. Greeley continues, “My colleague and friend Mark Chaves has argued that secularization should be conceptualized as a decline in religious authority and not as a decline in religious faith or practice (Chaves 1994). The decline in religious institutions, he suggests, is the result of social differentiation in which many new institutions have their own share of authority.”¹⁷ Simply put the “Catholic revolution” of the second half of the twentieth century changed the effectiveness of, and the appeal of earlier priestly vocations.

Greeley argues that Catholicism’s strong imagery keeps even young Catholics close to their faith and Church despite ethical dissent. “Moral theologians before the Council argued that the conscience had to be informed by the teaching of the church. Either that teaching is the sole determinant of the choice or there is room for other influences—such as the conviction that in particular cases church authority does not really understand the problem.”¹⁸ It is clear that future teachers of the church must be prepared to fully engage, not ignore, the “other influences in the room”.

The elephant in the room has wielded authority; secular influences have filled the lacuna that the authority of church teaching left in the faithful’s conscience. “In the years

¹⁷ Andrew Greeley, *The Catholic Revolution* (Berkeley: University of California Press, 2004), 69.

¹⁸ Ibid, 79.

since the Council, large numbers of Catholics have dissented and have not left the household of faith . . . able to rationalize the apparent conflict between their Catholic allegiance and their dissent from Catholic sexual teaching.”¹⁹ Many have left; *Lumen Gentium* reminds us that it is the church’s duty “to seek salvation for the entirety of God’s people”. Dissent is present whether it is driven by the secular media’s overwhelming voice, church teaching leading to a lacuna, concerns over church leadership, or a clergy culture gap.

1.4 Ministry Needs

Many believe the long decline of the United Methodist Church is a crisis of effective leadership. Perhaps this is because many still wonder what effective leadership is supposed to be.²⁰

“Church leadership is best rationalized on utility rather than puffed-up theological warrant.” asserted Bishop William Willimon as he looks at ministry effectiveness and leadership praxis within the frame of the ecclesiology it lives in. The subtitle of his book *Bishop is, the art of questioning authority by an authority in question*. Authority is both the tool and enemy of effective individual Christian ministry. In the long run, successful ministerial leadership is not all about the individual, but more about the church structure, which supports the communion of the individual minister and the faithful.

¹⁹ Ibid, 80.

²⁰ William H. Willimon, UMC Bishop, *Bishop*, (Nashville: Abingdon Press, 2012), 178.

So Willimon delves into leadership humility with, “The kingdom of God is not devised by human efforts, even very skilled leadership. Any God who is less than the one who raised Jesus from the dead is no match for the deadly challenges facing the UMC.” Speaking to his own vocation Willimon says, “. . . in trusting Jesus’ faith in me more than my doubts about my abilities, Jesus’ crisis of leadership becomes more a grand adventure, leading not as the world leads but as Jesus commands.”²¹ The debate about effectiveness in ministry must return to a debate about the theology beneath the leadership structure; it appears that Roman Catholic ecclesiology faces challenges no less deadly than those of the United Methodist Church.

When working in the Roman Curia as Prefect for the Congregation for the Doctrine of the Faith, Joseph Cardinal Ratzinger wrote “In the Church the atmosphere becomes cramped and stifling when the officebearers forget that the sacrament is, not an allocation of power, but dispossession of myself for the sake of the one in whose “persona” I am to speak and act.”²² Atmospheric transparency is a product of light and it brings with it, simultaneously, a dawning of freedom for those within church. During the clergy sexual abuse crisis, the clergy was positioned on a pedestal that was at times opaque, living behind this curtain certain clerics fell into a great darkness in their abuse. This too, at least in part, is a failing of ecclesiology; there was no light of transparency to free those clerics from their darkness. In this, ecclesiological transparency is the light of

²¹ Willimon, *Bishop*, 166.

²² Joseph Cardinal Ratzinger, *Called To Communion*, (San Francisco: Ignatius Press, 1996), 146. English Translation by Adrian Walker, *Zur Gemeinschaft Gerufen: Kirche Heute Verstehen*.

communion with fellow ministers in the church, not the isolation of an individual's cloaked pedestal. In addressing the essence of true reform Cardinal Ratzinger says, "True reform then is *ablatio* (removal), which as such becomes *congregatio* (gathering)". Continuing his formulation on true reform he cautions against the plight of the individualist human minister, who he calls the maker, he says, "The maker values his own activity above all. He thereby restricts his horizon to the realm of things that he can grasp and that can become objects of his making . . . Man builds himself his own prison, against which he then noisily protests."²³ The dispossession of self is the act that allows true reform, a reform enlightened by transparency in church structure and driven by communion.

Willimon says he was influenced immensely by the ecclesiology of his friend Stanley Hauerwas. "But being a Bishop has made me wonder if I embraced too unreservedly Hauerwas's communitarian, positive ecclesiology. Stanley forms his theology on the basis of his ecclesiology. The church is the material basis of his ethics", for Willimon "Both the expectations of Jesus and the empirical reality of the church challenge any effort to heap unreserved praise upon the church."²⁴ A communitarian positive ecclesiology might well be the beginning of a parochial structure that then seeks to optimize itself around a ministry approach that brings "the light of Christ to all men, a

²³ Ibid, 143.

²⁴ Ibid, 156.

light brightly visible on the countenance of the Church.”²⁵

An answer to the deadly challenge that Willimon suggests human church leadership cannot answer, but must be found in God’s work, might well appear to us in the responsive ecclesiology of ministry the apostles first prescribed as they called the seven to serve. This structure is responsive in that it calls for the people of God to be served effectively in multiple specialized ministry channels, by deacons in temporal service and by the presbyters in seeking and sharing the word of God. Although this is a man made structure, the beginning for this apostolic diaconal structure came from men that walked with Jesus.

The structure of these two groups of ordained ministers, deacons and presbyters each serving the same community of faithful, and reporting to the same episcopal authority would be a paradigm shift for the current parochial ecclesiology of the Roman Catholic Church.²⁶ Despite the differences between the roles of today’s orders of priesthood and diaconate, we must appreciate that the ministerial needs of the parishes create many intersections and overlaps. The priest serving as pastor, who is responsible to his bishop, directly supervises the functions and tasks of today’s deacons and lay ministers. This structure in the church has been significantly impacted by the increase in

²⁵ Vatican II, *Lumen Gentium*, 1.

²⁶ This structure creates communication and reporting channels that support a notion of checks and balances in the parish, albeit best known as an American governance construct, this appears as a potentially beneficial byproduct of multiple channels of ministry reporting. Monarchical governance can be seen to witness the historical adversary to such a structure: it is likely today that a challenge arises from pastors as it did by royal Kings.

the number of parishes without a priest as pastor.

The role of the deacon in the Roman Catholic Church has been defined differently through the ages within the context of the life of the clerics in a hierarchical church. The history of the deacon is one of a cleric being simultaneously subordinated and exalted in the service of the faithful. All of this happens within the familial strife of the sacred clerical orders that we will now consider.

2. The Holy Order of Deacon

2.1 *Origins In the Early Church*

I commend to you our sister Phoebe, a deacon of the church at Cen'chre.ae, that you may welcome her in the Lord as is fitting for the saints, and help her in whatever she may require from you, for she has been a benefactor of many and of myself as well.¹

Romans 16:1-2

Phoebe is a deacon sent by an apostle on a non-liturgical, emissary like mission, and apparently it is one of great importance to the church. Paul tells us that she has been a benefactor and is deserving of whatever support she may require. This is one of the first reports of one whom Paul considers to be a deacon, and what he asks them to undertake, and what he thinks of them. Let us consider this as an apostolic insight, not into a yet to be established order, but a look into the trusted minister Paul introduces to us.

Who should we consider Phoebe to be? N.T Wright suggests that given her circumstances and her home in Cen'chre.ae, "The implication is that Phoebe is a businesswoman who is able to travel independently and for Paul to trust her with a letter like this speaks volumes for the respect in which she was held; so it is no surprise to discover that she is a deacon in the church."² "As benefactor, Phoebe was evidently a

¹ *The Holy Bible: New Revised Standard Version*, Ro. 16:1-2, (Nashville: Abingdon Press, 2003).

² "N.T. Wright, *Romans Commentary in The New Interpreter's Bible A Commentary in Twelve Volumes*, Vol. X (Nashville: Abingdon Press, 2002), 761."

woman of means.” according to Leander E. Keck.³ Edward Echlin says, “Paul’s praise for Phoebe indicates that the diaconal function was developing. His warm words about Phoebe’s services also demonstrate he valued the role of women in the church.”⁴ Phoebe is established as a woman, and probably one of some means, and likely familiar with temporal goods, and seemingly experienced in administration. Phoebe is not in any way referred to as a preacher or a liturgical minister.

In considering Phoebe’s role as bearer of Paul’s letter to Rome Brendan Byrne said, “That she be well received by the community and make a favorable impression upon them is clearly central to Paul’s whole enterprise in dealing with Rome. Hence, the care with which he introduces and commends her.”⁵ Byrne continues that Paul’s request that she be supported in whatever she may require, suggests that Phoebe may be conducting business, which could be church matters. Phoebe is commended by Paul as she represents his letter and him. Paul identifies Phoebe as a deacon of the church; this is probably a title worthy of some respect as he seeks to have his letter and her arrival well received.

The New Revised Standard Version’s translation of *Diakonos* as deacon is not without challenges. The New International Version translates *Diakonos* as servant or deaconess. N.T. Wright asserts that these attempts fail, ““Minister” (REB) is imprecise, because that word is used for several pastoral offices in today’s church; “deaconess”

³ Leander E. Keck, *Romans Commentary in The Harper Collins Study Bible*, (San Francisco: Harper One, 1989), 1930.

⁴ Edward P. Echlin, S.J., *The Deacon in the Church*, (Staten Island N.Y.: Alba House, 1971), 5.

⁵ Brendan Byrne, S.J., *Romans in Sacra Pagina Series Vol. 6*, D. Harrington Ed., (Collegeville, Mn.:Liturgical Press, 1996), 447.

(RSV, JB, NJB) is inaccurate because it implies that Phoebe belonged to a specific order . . . which would not be invented for another three hundred years.”⁶ It certainly appears that Phoebe was a leader in the church, sufficiently well regarded by Paul to be sent on an important mission, administrative and non-liturgical in its nature. In the distant future bishops of the medieval church will charge deacons and archdeacons to undertake similar missions on their behalf.

The leadership structure of the church was in its infancy; Mother Church was just beginning to take form and expanding. The establishment of earthly stewards to administer to the church’s missions and goods were essential to the ministry of shepherding her children along the path to salvation. So it was in the earliest days of the church that the apostles called for seven to serve as special ministers to organize and deploy the assets of the faithful.⁷ As the church grew over the centuries the successors to these seven also became known more formally as deacons and were eventually called into an elevated special service to their bishops, then as archdeacons they administered to the most important earthly matter of the episcopate. These deacons became the church’s most trusted administrators; closely serving bishops in their work as pastors of their particular churches. From the beginning deacons were called to serve their bishops *in a special way*, ordained a cleric with a sacred vow, but to a ministry primarily of temporal

⁶ Wright, *Romans Commentary*, 762.

⁷ *The Holy Bible: New Revised Standard Version*, (Nashville: Abingdon Press, 2003), Acts 6:2–3. “And the twelve called together the whole community of the disciples and said, “It is not right that we should neglect the word of God in order to wait on tables. Therefore, friends, select from among yourselves seven men of good standing, full of the Spirit and of wisdom, whom we may appoint to this task.”

undertakings. This history speaks of a theology of the diaconate through the practiced ecclesiology of the earliest apostolic hierarchs.

Our inquiry in this section is historical in its framework; our target is the theology that undergirded the canonical guidelines evidenced in the offices held by deacons and archdeacons. We seek this target, as it is the theology beneath an office, which is the essence that needs to be ferreted out to prescribe most faithfully its ecclesiology moving forward. The ancient church has left us limited historical data to parse the ecclesiastical offices deacons may have been appointed to. These data points are sometimes decrees limiting certain specific sacred ministry functions; sometimes they are laws framing powers of governance and sometimes reports evidencing specific ministry undertakings. Although we will not see a specific definition of primary ecclesiastical offices deacons held, we will see sufficient data points to help us frame the theological concerns and ministerial hopes of our early church fathers.

The diaconate first appears as a notion, although predating a distinct ecclesiastical order; its function is defined in the time of the apostles. So we must look first to the roots of the diaconate in Holy Scripture. Pope Paul VI commences his Apostolic Letter restoring the diaconate saying:

Beginning already in the early days of the Apostles, the Catholic Church has held in great veneration the sacred order of the diaconate, as the Apostle of the Gentiles himself bears witness. He expressly sends his greeting to the deacons together with the bishops and instructs Timothy *cf.* Phil. 1:1 which virtues and qualities are to be sought in them in order that

they may be regarded as worthy of their ministry. (cf. 1 Tim. 3:8-13)⁸

It is clear that in restoring the diaconate as a permanent sacred order that Pope Paul VI is anchoring this Motu Proprio letter on the Pauline instruction regarding qualifications. I think it is worthwhile to note that Paul's focus on qualifications is a communication regarding deacons in general and appears to be seeking to establish a formula for trust and stability in ministry for these officeholders.

The early growth of the Christian community and the theology of sharing temporal goods created a need for a framework to order activity and stewardship. The Pastoral Epistles of Timothy and Titus are particularly important as they eventually gain the weight of Holy Scripture and are among our *earliest written* instructions suggesting an ecclesiology; a simple beginning for church structure and community practices. In Titus the structure of the ecclesia is taking shape; elders and bishops were to be appointed to govern each community, the qualifications of the persons to be selected were detailed, sound doctrine is to be taught and followed as virtuous. First Timothy initiates the notion of the "House of God" and how differences within the house should be resolved. This is a dramatic change, in just 100 years; Scripture has gone from the focus of Paul's work being teaching Christianity, to instructions on how the followers of Christ are to be organized. These are sources of the first norms for ecclesiastic law concerning how the

⁸ Pope Paul VI, *Sacrum Diaconatus Ordinem*, (Motu Proprio, 18 June 1967) English Translation, Flannery, Austin, ed. *Vatican Council II: The Conciliar and Post Conciliar Documents*. 2nd ed. Northport, NY: Costello Publishing, 1996. .

faithful are to live together in community, but these will not be sufficient for the organizational needs of the expanding community.

We see another set of requirements established for the officeholders among the seven chosen to serve in Acts 6:1-7. The qualifications are similar to the Pauline list, “seven men of good standing full of the Spirit and of wisdom, whom we appoint to this task.” (Acts 6:3). The Apostles are seeking qualified office holders to be appointed to a specific set of tasks, namely the distribution of food and the waiting on tables. Before we delve further into the historical references to these officeholders, we should look to the canonical relevancy of these.

The ecclesiological implications of these Pauline and apostolic references are significant theologically and canonically. The spirit and intent of both of these sets of officeholder qualifications and instructional references suggest the establishment of the function of deacons with elements that we see today as essential to the formation of an ecclesiastical office. Canon law indicates “An ecclesiastical office is any function constituted in a stable manner by divine or ecclesiastical ordinance to be exercised for a spiritual purpose.”⁹ Let us look at the selection of seven disciples the apostles seek to

⁹ *Code of Canon Law: Latin – English Edition, New English Translation*. (Washington, DC: Canon Law Society of America, 1989), 43. *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (Vatican City: Libreria Editrice Vaticana, 1983), c. 145 §1: “Officium ecclesiasticum est quodlibet munus ordinatione sive divina sive ecclesiastica stabiliter constitutum in finem spiritualem exercendum.” Hereafter 83 CIC. English translation will be taken from *Code of Canon Law, Latin-English Edition: New English Translation* (Washington, DC: Canon Law Society of America, 1998). All subsequent English translations of canons from this code will be taken from this source unless otherwise indicated.

have chosen to serve within a structural framework. First, the seven chosen to serve are chosen to perform the function of the temporal needs of the people. Second, the undertaking is to be constituted in a stable manner, seeking continual service by qualified individuals. Third, the twelve apostles called the community together to instruct them providing the equivalent of an oral ecclesiastical ordinance dividing the duties among the twelve and the seven. Finally, the function is exercised for spiritual purposes, namely the support of the community while allowing the full devotion of the twelve to the word of God. The intention of the ancient apostles for the provision of an office for the seven differing from the work of the twelve is apparent. This first century process contains virtually all of the specificity required under canon 145 §1 of the 1983 code to establish an ecclesiastical office.¹⁰

Those following in the role of the seven chosen to serve begin to be referred to more commonly as deacon. In the first centuries of the church several sources reference deacons. However, the surrounding hierarchical structure of the church is equally important to placing diaconate ecclesiology within proper historical context. Recorded in the late first century or early second century the Didache is the first legislative text that identifies the deacons and establishes their importance. The Didachist wrote, “Appoint, therefore, for yourselves, bishops and deacons worthy of the Lord, men meek, and not lovers of money, and truthful and proved; for they also render to you the service of

¹⁰ Ibid.

prophets and teachers. Therefore do not despise them, for they are your honored ones, together with the Twelve Apostles.”¹¹ Once again we see the deacons described alongside the bishops within the hierarchy of the blossoming church.

A reflection on the first centuries of church structure engages the ecclesiology of an ever-evolving Christian community, activist emperors, fading empires, heretics, and transitory kingdoms; but ever constant throughout this tumultuous time is the rise of a supreme legislator and the structuring of church. The early Christian communities were initially *house churches*, a world apart from a Roman Curia. Customs, liturgical norms and ecclesial structure began to grow out of these gatherings, which assembled at a leading figure’s home. This is a very different hierarchical and legislative environment than a modern synod of hundreds of bishops, but norms for these early communities were being formed, albeit not as a written body of law. The hierarchical relationship between bishop, deacon and lay faithful is seen taking form. What we know about these communities is dwarfed by what we do not know; however, we can establish context with the extant texts that initially formed the basis for norms.

Local community handbooks for living the Christian life began to appear; among the earliest extant texts is the *Didache*, which we believe represents a second-generation teaching by church fathers. This handbook provides the Teaching of the Apostles in sixteen short chapters, providing an early catechism for Christian ethics, sacraments and

¹¹ *The Didache*: From the Ancient Koine Greek: Διδαχή, Broadly Accepted Translation to Mean “Teaching”; Is the Common Name of the Brief Earliest of Christian Treatises Touching on Ecclesiology. (Kindle Locations 166-168). BooksAndSuch. Kindle Edition.

church organization. The authority for these norms is based on their link to the apostles, not the authorship of a church structural entity. This apostolic authority model is still employed in a well-distributed early third century text *On the Apostolic Tradition*, which is attributed to Hippolytus.¹² This early example of the Church Order Literature provides new detailed instructions concerning spiritual gifts, rites, clergy roles and practices evolving within the Christian community in third century Rome. The ordination rite within the work of Hippolytus are some of our earliest extant roots evidencing the establishment of the clerical ordination of deacons:

1. And when a deacon is installed let him be chosen in accordance with those things which were said above, in the same way the bishop alone laying hands. Just so we prescribe that at the ordination of a deacon the bishop alone lays hands,
2. for the reason that he is not ordained to the priesthood, but to serve the bishop, that he might do those things which are commanded by him
3. For he is not a participant in the council of the clergy but looks after and indicates to the bishop what is necessary,
4. not receiving the spirit of the presbytery which the presbyters share, but that which is entrusted him under the power of the bishop.
5. For which reason the bishop alone shall ordain a deacon...
- (omitted numbers 6 – 8 reference presbyter ordination)
9. Over a deacon, therefore let him say thus:
10. God who created all things and ordered them by your word, Father of our Lord Jesus Christ, whom you sent to serve your will and to show us your desire,
11. grant the Holy Spirit of grace and sincerity and diligence on this your servant, whom you have chosen to serve your church and to present in your holy of holies that which is offered to you by your appointed high-priest to the glory of your name that serving blamelessly and in purity he may be worthy of the rank of his exalted order and praise you

¹² Allistair Stewart Sykes, Suggests That This Is a Roman Church View and "... rather than Seeing It as the Work of One person, Hippolytus, it suggests that Hippolytus is only the last in a series of figures who wrote *Apostolic Tradition*, which is the product of a community produced over a number of years." *Hippolytus, On the Apostolic Tradition, Translator, Allistair Stewart Sykes*, (Crestwood, N.Y.: St. Vladimir's Seminary Press, 2001), 11.

12. through your child Jesus Christ, through whom be glory and power and praise to you, with the Holy Spirit in the holy church, now and always and to the ages of the ages, Amen.¹³

During the Third Century the church in Rome is struggling, and the actual structure of a hierarchy, as we know it remains unclear, however the evolving notion of a monoepiscopate is recorded in *On the Apostolic Tradition*.¹⁴

Despite continual state government intervention in regulating religious activity, the importance of the Bishop of Rome and the Church Councils will expand to be the institutions of dominant legislative force during the early fourth century. The simplicity of the customs and laws of the Apostolic Era are by necessity going to give way to the growing complexities of Late Antiquity life and culture. “The description of the diaconate by the Church Orders is all the more significant because of the difference between the kind of evidence provided there and that which subsequent ecclesiastical legislation offers.”¹⁵ The regional church councils are beginning to be assembled to bring unity to community Christian practices, however there records are often brief and case related.

The Deacon as an order in formation is evidenced in selection guidelines and then more concretely in ordination practices. Still there is a lacuna in the legislation defining the function and role of the deacon in the universal church. It is clear not only that the

¹³ Hippolytus, *On the Apostolic Tradition*, 86.

¹⁴ Much of the Early Writing of *On the Apostolic Tradition* appears to have occurred in Rome during the Papacy of Pope Zephyrinus, whose young church suffered mightily under heresy, apostasies and severe persecution from the reign of Roman Emperor Severus.

¹⁵ Joseph W. Pokusa, *A Canonical-Historical Study of the Diaconate in the Western Church*, The Catholic University of America, (London: University Microfilms International, 1979), 54.

deacon is a well-regarded member of the early church; but that the bishops will continue to evolve the future missions of the deacon.

2.2 The Deacon within the Parochial Church

In the early church the structure was more horizontal than today, it was less vertically layered, the bishop and his deacons acted as a team directly ministering to their flock. In this horizontal leadership structure the bishop functioned as pastor in the care of souls, and his deacon assisted, tending primarily to the temporal matters of the church. Edward Echlin reports, “Early medieval canons repeated the now familiar refrain that *deacons are like the eyes of the bishop*, because they mediated the needs of the diocese to the bishop.”¹⁶ The deacon ordained to serve his bishop is acting much as the Apostles might have conceived for their *seven called to serve*; the deacon is providing trusted assistance so the bishop does *not neglect the word of God in order to wait on tables*.

The fourth century will see radical changes in ecclesiology, and thereby in the role and function of the deacon. James Barnett suggests, “The deacon enters the fourth century as a person of considerable importance and prestige in the church. We have already noted how often a deacon was elected bishop. He was not only the executive assistant of the bishop but represented him on occasion at councils.”¹⁷ The deacon continues to perform important supra-diocesan functions in the fifth century. Echlin

¹⁶Edward P. Echlin, S.J., *The Deacon in the Church*, (Staten Island N.Y.: Alba House, 1971), 76.

¹⁷ James M. Barnett, *The Diaconate- A Full and Equal Order*, (New York: The Seabury Press, 1981), 95.

references the *Apostolic Constitutions*¹⁸, “According to the *Constitution* deacons represented their bishop at synods when the latter was unable to attend and presided with other ministers over solemn assemblies when quarrels among Christians were adjudicated.”¹⁹ The deacon is being entrusted with important administrative delegation in serving the church outside of the parochial liturgical environment.

During the early medieval period the number of local churches began expanding beyond the available supply of bishops to lead them. With this expansion a new vertical hierarchical model establishes the presbyter as the leader of the local church. Barnett asserts that, “By the latter part of the fourth century the deacons had ceased to form the bishop’s personal staff. As the presbyters take the place of the bishop in the churches of the *diocese*, the deacons become their assistants as well, though this is not documented until about 500.”²⁰ Now the presbyter as pastor of the flock begins replacing the bishop as primary “immediate” pastor for the faithful. With this change in hierarchy, the deacon begins to take on more supportive liturgical responsibilities in the local church, and begins losing his functional role as chief steward of temporal goods in the parishes now led by a presbyter.

The church fathers of the patristic period are coming together in regional councils to legislate; they are forming norms for the structure and operation of a growing church. The establishment of provincial metropolitans and colleges of clergy ushers in a new

¹⁸ Didascalia et Constitutiones Apostolorum, F. X. Funk, Ed., Paderborn, 1905, 143.

¹⁹ Edward P. Echlin, *The Deacon in the Church*, 61.

²⁰ *Ibid*, 105.

period of hierarchical ecclesiology. During the medieval period legislation and papal decretals broadly evidence conflict arising from deacons functioning in roles deemed appropriate to presbyters.

Later in this period the deacon will appear as a sole administrator of more distant communities; we will learn of the extent of this diaconal ministry in part through the conciliar legislation attempting to limit the scope of their sacramental activity. The Council of Elvira held in a small ancient town in Spain presents the earliest extant record of a church council dating from approximately 306. The norms produced were in the form of written canons. Canon 77 of the Council of Elvira defines a procedure that restricts the role of a deacon in the administering of baptism: “If a deacon who is in charge of a people without a bishop or presbyter has baptized some members of the community the bishop must complete their initiation through his blessing.”²¹ We must use caution in accepting early canons and decretals in the fullness of their detail as universal law, but employ them to instruct generally regarding the context of the time period.

It is important to note that establishing the authenticity of the sources of legislation is a substantial problem for the early church and continues to be a challenge until the classical era of canon law in the thirteenth century. Regional councils and notable theologians were often the authority cited by pseudo disciples as authors and outright forgers. A prime example is the extensive work alleged to be of Isidore of Seville

²¹ Samuel Laeuchli, *Sexuality and Power: The Emergence of Canon Law at the Synod of Elvira* (Philadelphia: Temple University Press, 1972), 40.

of the later ninth century. The Pseudo-Isidorian Decretals appeared as ninth century forgeries in support of strong central papal governance; they were substantially accepted for three centuries and included partially in Gratian's Decretum. Only in the late thirteenth century, an era of expanding jurisprudential thinking at legal academies in Bologna did a two hundred year debate undo the forger's hand.

The early conciliar legislation primarily dealt with issues of conduct and consequences surrounding matters such as clerical sexuality, marriage, sexuality, women, roles of laity and punishments. Many of the canons were significantly inspired by the regional problems of a community bordering on and threatened by pagan peoples. Regional councils continued in this manner for almost three centuries, committed to reconciling through legislation many of the communities' chief concerns: clerical conduct, marriage, sexuality, communion and punishments.

In the mid third century Bishop Cyprian presided over several regional councils in Carthage; he recognized no universal authority of canon laws. In his quarrel with Pope Stephen over schismatic baptisms, Cyprian favored the path of maintaining his freedom to govern his church, and answer directly to the Lord. Cyprian speaks of deacons as bishop made, but is also very clear that the hierarchy within Carthage is episcopal-centric: "deacons ought to remember that the Lord chose the Apostles, that is, the bishops and leaders, but after the Ascension of the Lord into heaven, the Apostles appointed deacons for themselves as ministers of their episcopate and of the church. But if we can dare anything against God, who makes bishops, the deacons can also dare anything

against us by whom they are made.”²² During the third and fourth centuries the hierarchical roles in the church are still evolving in part through conflicts with regional councils, and in part with councils called by secular authority.

Many of the canons that evolved from the Nicea Councils work are still with us today defining clerical activities, deacons, ordination, Eucharist, catechumens, synods, and lapses of faith. Canon 18 of the Council of Nicea declares: “Deacons must abide within their own bounds. They shall not administer the Eucharist to Presbyters, nor touch it before Presbyters do, nor sit among the Presbyters. For all this is contrary to the canons and decent order.”²³ The council and the Bishop of Rome went on to impose social limitations on a deacon; deacons are prohibited from certain occasions and social circumstances amongst presbyters in order to affirm this subordination. Late in the fifth century Pope Gelasius²⁴ strictly instructed his bishops to observe the ordained limits the canons of the fathers imposed on diaconal practices.²⁵

The bishop is charged with the care of souls in each parish in his territory and under this evolving strict hierarchical model he must directly share this authority only with a pastor who is a presbyter ordained to serve acting *in persona Christi Capitis*, not

²² Cyprian of Carthage, “*Cyprian to Rogatian*” Roy Joseph Deferarri, Ed. *The Fathers of the Church*, (Washington, D.C.: Catholic University Press, 1964), 8.

²³ P. Schaff & H. Wace, *A Select Library of Nice and Post-Nicene Fathers of the Christian Church, Second Series, Volume XII: The Seven Ecumenical Councils*, (Edinburgh: T&T Clark, 1899), 2.

²⁴ Pope Gelasius was among the most prolific legislators of the popes of late antiquity and stressed not only the necessity of deacons keeping within their proper bounds but also that presbyters respect the prerogatives of bishops. The subordination of the Deacon to the presbyter was now well established.

²⁵ P. Schaff & H. Wace, *The Seven Ecumenical Councils*, 2.

to a deacon ordained to service.²⁶ The church's late patristic period movement to the centralization of governance authority in a hierarchical church model is a critical element in the decline of the role of the diaconate in the administration of the temporal goods of the church. Robert Nowell contributes, "The major factor in the decline of the diaconate was the process of sacralization that set in firmly during the fourth century . . ."²⁷ As secular terminology and rules gave way to more formal ecclesial norms and sacral terminology the presbyter became the only cleric authorized to perform more important functions in the parochial church.

Lynn Sherman poignantly described the predicament surrounding the parochial diaconate of the medieval church,

Put this all together and there is only one logical solution; get rid of the problem group that no longer had any viable reason for existing. The question, though, was: How can one abolish what was established by the Apostles? The answer was simple. Keep it, but make it transitional toward membership in the stronger political constituency. Have deacons become priests.²⁸

²⁶ Theologically this model is driven only in part by divine law, but most substantially by merely ecclesiastical law, which is man made, and hence can be rewritten. Saint Pope John Paul II begins the Apostolic Constitution *Sacrae Disciplinae Leges*, "During the course of the centuries the Catholic Church has been accustomed to reform and renew the laws of canonical discipline so that in fidelity to its divine founder, they may be better adapted to the saving mission entrusted to it." *English translation taken from Code of Canon Law, Latin-English Edition: New English Translation* (Washington, DC: Canon Law Society of America, 1989), xxvii.

²⁷ Robert Nowell, *The Ministry of Service*, (New York: Herder and Herder, 1968), 32.

²⁸ Lynn C. Sherman, *The Deacon in the Church*, (Staten Island, N.Y.: Alba House, 1991), 24.

2.3 The Archdeacon

It lives for 500 years or more. When it sees that it has grown old it builds a pyre for itself from spices and twigs, and facing the rays of the rising sun ignites a fire and fans it with its wings, and rises again from its own ashes.²⁹

The phoenix as described by an Isidore of Seville in the seventh century possibly portends the first resurrection of the diaconate, the archdeacon of the medieval church. The function of the deacon, no longer the church's temporal goods steward, had become primarily a subordinate liturgical cleric whose impact had been reduced to ashes. One might allege that the presbyterate had helped build the deacon's pyre; in any case it is clear that the emerging hierarchical structure is a presbyter as pastor and administrator in the parish. Now as the light of the high middle ages shines on the ashes of our phoenix, we see evolving jurisprudential thinking and church governance give wings to the diaconate arising as archdeacon. The eleventh century will see the archdeacon thrive within this evolving ecclesiology and a special archdeacon will become Pope.

The church continues to struggle with east-west schism, yet it is the rediscovery of imperial law that will bring new clarity to ecclesiology for the Latin Church. Canon

²⁹ Isidore of Seville, *Etymologies*, Book 12, 7:22

law in the east and the west are defined by their sources and notably display increasing isolation from one another. Law in the west is being driven by papal decretals, ecumenical and regional councils and new norms coming from church customs. In the east it is the day of the empire and great theologians; the Eastern Church Fathers, Imperial law and the canons of eastern councils are forming law. With the eleventh century dawning, the papacy and the Roman Church are about to emerge from these dark days with the Gregorian Reform; unfortunately unity with the Eastern Church will remain evasive.

Perhaps the influences of the reform movement of the eleventh century on church structure might best be understood by examining its beginnings within monasticism. In the year 909 a pious French nobleman, Duke William I of Aquitaine founded a Benedictine Monastery in Cluny. In this structure he sought no control over its future other than assuring its freedom from any intervention, excepting that of unlikely future Divine intentions from the Holy See.³⁰ This remarkably pious action from a layperson would be of great import for the church: an action, which we might see almost curiously, mirrored by Emperor Henry III in 1046. The Cluniac movement was generally intended to free the monastic work from all secular intervention, in specific the reform was to

³⁰ "To all who think sanely, it is clear that God's providence counsels those who are rich to use well those goods they possess temporarily, so that they may be able to gain rewards which last forever . . . Therefore... let it be known that for God's love and that of our Saviour Jesus Christ I hand over my property to the holy apostles Peter and Paul . . . I give on this condition, that a monastery living under a rule be established at Cluny in honour of the holy apostles Peter and Paul; that the monks there form a congregation living according to the Rule of St. Benedict . . . Be guardians and defenders of Cluny and of God's servants." Excerpted from the recording of Duke William's gift, *Recueil des chartes de l'abbaye de Cluny*, edited by A. Bernard and A. Bruel. *Collection de documents inédits sur l'histoire de France*, vol. 72 part 1 (Paris, 1876), 124-5.

refocus on a stricter Benedictine praxis of *ora et labora*, with the work of the monks becoming more focused on religion. Cluniac Benedictine Monasticism quickly grew to be the most influential model for the formation of religious institutes; religious freedom is a cornerstone of this monastic reform. Implementation of this type of reformed model in the broader church will call for a senior steward, one known for *good standing, full of the Spirit and of wisdom*, he appears as an archdeacon.

Cluniac Benedictine Monasticism grew, Pope Gregory VI died in exile and one of his protégés Hildebrand of Sovana is reported to have moved to Cluny or possibly a Cluniac monastery in Rome; he became an avowed reformer in the spirit of Cluny. Piety and intelligence gave Hildebrand a forceful presence within the Roman Church, and serving as a deacon in the 1050's he became an important advisor to abbots and popes. By 1061 the movement for reform was taking on a vision of a powerful papal monarchy. Pope Alexander II is moving against simony and enforcing clerical celibacy, his staunch supporter and visionary policy advisor is now one Archdeacon Hildebrand. Hildebrand was thinking about the church much in the way William of Aquitaine thought about Cluny, free and responsible to Divine will alone. This *Cluniac* vision of an earthly religious institution, inspired by divinity alone and autonomous from secular interventions will remain with Archdeacon Hildebrand, as he becomes Pope Gregory VII.

Pope Gregory VII will accelerate the struggle to empower a Roman Catholic Church to be led by one Bishop from Rome; storms with schismatics and princes *be*

damned, the reform is in full sail.³¹ Possibly more significant than a reform of canon law, the eleventh century brought a church reform, redefining autonomy for the church in Rome, and its Bishop. This would be a change of magma-like displacement to the ecclesiology of the church and canon law's future. The days of caesaropapist notions of simony, lay investiture and secular royal legislators became numbered. Pope Gregory VII Decretals of 1073 and 1074 are critically important acts of legislation limiting lay investiture, simony, and clerical marriage, while asserting Papal primacy. The decretals were building on the conciliar work of Pope Leo IX. To the effect that henceforth, canons of the twelfth century forward will commence with a first title on the Primacy of the Roman See. Soon conciliar canons will be dwarfed in number by Papal legislative actions.

The Papacy had suffered dark days in the tenth century, collections of canon law were not including recent Papal decretals and secular interests polluted the works of church mightily. Among the disarray of simony and three papal claimants in 1046, Emperor Henry III intervened in *Sutri* deposing all three claimants, and appointing his

³¹ The influence of Hildebrand's conception of the papal office, and his Papacy are a lasting legacy ever present in the church today. Saint Pope Gregory VII's vision of papal authority is granted to us in a separate single sheet of parchment found within his Registry known as the *Dictatus Papae*. This single sheet appears as if it might comprise a table of contents, possibly for a treatise he was never able to write. He did suffer from ill health, continual conflict with King Henry IV, and eventual exile. The concept of his 27 dictates included his vision of one Roman Catholic Church founded by God, entrusted to the Roman Pontiff who alone can be called universally empowered to depose or reinstate bishops and emperors, and that all princes should kiss his feet alone and no other should use the imperial insignia. Part of his further delineation of authority included a strong definition of Papal Primacy within the church; he alone can call a general synod, his actions may not be appealed and no one may judge him, and that he is canonically ordained and made a saint by the merits of St. Peter. (cf. Appendix A)

own choice. Uta-Renate Blumenthal suggests, “In Henry III religious and political motives were closely intertwined with an exalted understanding of his *ministerium* . . . Henry was obviously strongly influenced by the Cluniac conception of liberty.”³² It seemed unlikely that a dramatic act of secular intervention with popes might actually enable the eleventh-century reform movement to gain momentum. “In view of later struggles between the reformed papacy and the son of Henry III, it is ironic to note that the papacy was put into the hands of reformers by Henry III, who acted as a Christian king was supposed to act, protecting the church even against itself.”³³

Henry might have felt he was being a divine representative of God, as Charlemagne had before him, but whether he had intended it or not, Henry’s Popes became ardent reformers. Henry III, as William of Aquitaine before him, had set the stage for a more pious church.

Henry III, like his predecessors, relied during his reign primarily on the episcopate of Germany, Burgundy and Italy for administrative assistance and advice. More than half of the bishops had served in the court chapel, which maintained its full importance as an instrument of government.³⁴

Still, it was a church striving to be free from secular interventions, with one primary divine representative of God, the Bishop of Rome.

Although we can only conjecture about the influences on the vision of Pope Gregory VII for ecclesiology it is clear his gifts of leadership and intelligence appear almost divine. He might have found much of his piety and wisdom in the years he spent

³² Uta-Renate Blumenthal, *The Investiture Controversy: Church and Monarchy from the Ninth to Eleventh Century*, Translated by the Author (Philadelphia, Pa.: University of Pennsylvania Press, 1988), 50.

³³ Joseph H. Lynch, *The Medieval Church*, (London: Longman, 1992), 137.

³⁴ Blumenthal, *The Investiture Controversy*, 51.

amongst monastic communities at Aventine Hill and Cluny. The maturing Hildebrand certainly shaped some of his conceptions for office structure while studying under his master, the Arch Bishop of Amalfi, (later Pope Gregory VI) and then later in Cologne after Gregory VI was deposed. As deacon and archdeacon, Hildebrand worked extensively in curial administration, building his vision for reform. “For much of what was accomplished under Leo IX and his successors, Hildebrand received due credit . . . the enlightened and the thoughtful knew from whom proceeded the wisdom that devised the reforms and the vigour which carried them out . . . Surely no man had ever served a better apprenticeship to the Papacy.”³⁵

This Saint, Pope Gregory VII created a vision for the Roman Catholic Church, which is a legacy found in the authority and position enjoyed by the Holy See today. It is hard to speculate what the reform might have been without a Hildebrand within the church during the eleventh century, but we should consider that one third of his 27 dictate’s basic tenets remain in the Code of Canon Law currently in use today and the Supreme Legislator of Universal Law is the Holy See. I believe the impact of the eleventh century Gregorian Reform is more long lasting than implied by its legislation limiting lay investiture, simony and clerical marriage. The lasting influence of Pope Gregory VII might eventually be based on his exhortation in the *Dictatus Papae*: “That he who is not at Peace with the Roman Church shall not be considered catholic”. With these dictates and his Papacy he might have widened the schism with the Eastern Church

³⁵ Horace K . Mann, *The Lives of the Popes In the Middle Ages*, Vol. VII. - 1073-1099, (St. Louis:B. Herder, 1910), 15.

and possibly even supported a future protestant reformation, but certainly this Saint protected the future of The One Holy, Catholic and Apostolic Church, with the Bishop of Rome at the helm. This special archdeacon appeared as a phoenix, became Pope and helped prepare the way for a new ecclesiology.³⁶

The diaconate of the twelfth century as epitomized in the archdeacon is an important part of the non-liturgical life of the church; it is now focused on temporal goods, administration and law. Another deacon's canonical work would gain him access to the Roman Curia and beyond. "Sinibaldo dei Frieschi was born late in the twelfth century, son of Count Hugo of Lavania, a member of the Fiechi Family. He studied both civil and canon law at Bologna."³⁷ He wrote on the Decretals of Gregory IX, some of his work possibly initially given as lectures at Bologna. Sinibaldo wrote on Papal authority building highly influential refinements on the innovative work of Pope Innocent III. His professorship and diaconate responsibilities in Bologna earned him work at the Roman Curia where he would eventually take the name Innocent IV as Pope. "That Innocent possessed considerable intellectual powers is universally conceded. He had a remarkable memory and distinguished himself, if not so much as a lawgiver, at least as a writer on law and as a patron of legal studies."³⁸ According to Mann, Innocent called on several Religious Superiors to send their monks on to higher studies of law without any toll to be charged for their attendance. It appears that deacon canonist Sinibaldo continued to recall

³⁶ *Dictatus Papae, The 27 Dictates of the Pope*, Translated in Ernest F. Henderson, *Select Historical Documents of the Middle Ages*, (London: George Bell and Sons, 1910), Pp. 366-367. See Appendix A.

³⁷ James Brundage, *Medieval Canon Law*, (London: Longman Group, 1995) 225.

³⁸ Horace Mann, *Innocent III*, in *Lives of the Popes in the Middle Ages (vol. XIII)*, (St. Louis: B. Herder, 1910), 16.

the importance of canon law training in Bologna for Mother Church, as he took on the role of Holy Father. The legacy of the work of these deacons began with humility in the service of the church in administration and in medieval jurisprudential thinking, not liturgical celebration.³⁹

Ecclesiology was being married to the complexity the governance of the church required; authority found three juridical paths; administrative, judicial and legislative. The structure of the particular church is now becoming diocesan and the diocesan bishop's governance authority is beginning to expand broadly. The Apostolic See has already in the thirteenth century become the seat of governance authority for the universal Latin Church. It is in this dynamic and complex environment that once again, as in the early church, deacons thrived in service within critical non-liturgical functions.

We have now seen examples of archdeacons thriving in the curial church; however for our examination it is important to consider the nature of the medieval diaconate's contribution to the life of the parish and particular church. "The multiplication of archdeacons had profound effects on the archidiaconal office. Gradually arch deacons came to be assigned district subdivisions of the diocese."⁴⁰ The rural and remote location of the archdeaconries birthed the transition of the archdeacon's

³⁹ Horace Mann elaborates on the impact of Innocent III on the church, "To one who reviews these early works of Innocent with the ideals of our age in front of him, they will scarcely appeal at all; but their symbolism was a delight to the men of the thirteenth century, and there is scarcely an author of that epoch who mentions Innocent who does not praise his writings." Mann, *Innocent III*, 276.

⁴⁰ Joseph W. Pokusa, *A Canonical-Historical Study of the Diaconate in the Western Church*, The Catholic University of America, (London: University Microfilms International, 1979), 227.

relationship from immediate supervision by his bishop to one of quasi-autonomous authority over a territory. Although we do not always see specific or licit delegation, it is clear that the archdeacon assumed some parts of the bishop's canonical duties of visitation and oversight of local parish churches. This would place the archdeacon in a position of authority over at least a portion of a presbyter's work. Thirteenth century canonists broadly commented by *glossa ordinaria* of the Decretals of Gregory IX that the archdeacon's authority was by office, not by clerical orders. The subordination of presbyter to deacon was carefully defined canonically to be only within the administrative governance entrusted to the archdeacon; practical situations will ensure that this relationship will continue to be heard from.

One example of archidiaconal authority can be seen in the jurisdiction and administration of monastic archdeacons within the medieval church in England; these archdeaconries became important to the success of the missionary rural church. Jane Sayers has examined four major monastic archdeaconries in England, finding that their ecclesiology models leadership in a more isolated and self-contained entity. This model is relevant to the ecclesiology of a modern parish without a priest acting as pastor; as frequently these parishes have some of the same elements of isolation and a need for self-contained solutions.⁴¹

⁴¹ Jane Sayers, *Monastic Archdeacons*, within *Church and Government in the Middle Ages*, CNL Brooke, Gen. ed., (Cambridge: Cambridge Press, 1976), 177.

The medieval abbey's land endowments were of central importance to the life of the communities they administered and to the church in England. By 1190 archdeacons were in place administering to all four major monastic archdeaconries of England: St Albans, Glastonbury, Bury St Edmunds and Westminster.

Ordinarily archidiaconal jurisdiction pre-supposes a reasonably advanced diocesan system. Although the office of archdeacon was known by the ninth century, the ordinary archdeaconry, as an established institution in all dioceses, was a post-Conquest arrangement . . . The existence of the monastic archdeacon and acceptance of his position, as wielding very extensive ecclesiastical powers, was to depend on the confirmation and acceptance of these privilege houses and their ecclesiastical liberties by the people of the locality, by the diocesan, by the king and by the pope.⁴²

Once established, the autonomous authority granted to the archdeacon over the archdeaconry was at the same time frightening to some and generally successful for the church. Although the goals of medieval society were certainly not analogous to those the church seeks in a modern parish today, the ecclesiology yielded profitable stability for the parishes. Sayers continues "Efficiency seems to have been the keynote of the ordinary archdeacon's activities . . . the most remarkable feature of archidiaconal administration over the whole medieval period."⁴³

⁴² Ibid, 202.

⁴³ Ibid.

The archdeacon as a territorial leader lacks only true legislative authority; with the addition of certain judicial competencies to the archdeacon's administrative governance authority his power was augmented substantially. In numerous decretals and letters deacons are continually forbidden from giving communion to presbyters. The authority of the archdeacon, particularly over presbyters begins to create increasing levels of ecclesiastical and canonical difficulty as we move forward from the twelfth century. "Building upon the encroachments of archdeacons, the necessities of time and place, or the failures of bishops to exercise or to maintain their own office, the archdeacon's new juridic status did not originate in a written, legal source . . . it is often its divergence from the ordinary course of law which most surely indicates the evolution."⁴⁴

William Ditewig chose to not focus on the archdeacon in his work asserting, "The archdiaconate was not an office linked to the ordinary functions of the diaconate. Very few deacons served as archdeacons and, in its later form it was almost always an office held by a presbyter!"⁴⁵ The ordination of archdeacons to the presbyterate was indeed a later development, evidencing a struggle that begins the move to have the office populated by presbyters, rather than deacons. Echlin suggests, "The origins of the permanent diaconate cannot be studied in isolation, but must be discovered within the development of the apostolic ministry of bishop, presbyter and deacon. The diaconate developed gradually . . ."⁴⁶ The evolution of the archdeacon, with individuals coming

⁴⁴ Pokusa, *A Canonical-Historical Study of the Diaconate in the Western Church*, 297.

⁴⁵ William T. Ditewig, *The Emerging Diaconate*. (Mahwah, N.J.: Paulist Press, 2007), 74.

⁴⁶ Edward P. Echlin, S.J., *The Deacon in the Church*, (Staten Island N.Y., Alba House, 1971), 3.

from a non-liturgical role within the church, brought authority to these individuals who were deacons, not presbyters. Indeed, we do not need to look much farther to see the fuel for the next pyre; the phoenix like deacon is again in ashes by the end of the thirteenth century.

The rise and fall, order and reorder of the roles and ministry of the deacon has been dynamic and in some periods quite dramatic. Robert Nowell suggests, “. . . what we now have to explore is why and how it declined so that the diaconate virtually disappeared in the Western Church as an independent and permanent order of the hierarchy.”⁴⁷ During the periods of history when the deacon’s contributions to the church were greatest we can identify a few important constants to consider. First, the deacon’s special relationship working in close proximity with his bishop has been an important force since the apostles called for the selection of the seven chosen to serve. Second, the deacon has had a particularly consistent role of being responsible for good order in the church’s community and its temporal goods.

By the late thirteenth century we see the order of deacon fading into a merely transitory phase for men in formation for the priesthood. “Until the nineteenth century there were examples of cardinal deacons who were no more than the name implies: the last was Cardinal Giacomo Antonelli, Pius IX’s Secretary of State . . . who was never ordained to the priesthood.”⁴⁸ Since the time of Pope John XXIII, all cardinals and popes must be ordained a bishop, who is a presbyter, before they can serve. “Gradually, the

⁴⁷ Robert Nowell, *The Ministry of Service*, (New York: Herder and Herder, 1968), 31.

⁴⁸ *Ibid.*, 39.

sacramental identity of the deacon was subsumed into that of the presbyter. This was the paradigm in place on the eve of the Second Vatican Council.”⁴⁹, concluded William Ditewig. With this, all agree.

⁴⁹ Ditewig, *The Emerging Diaconate*, 93.

3. The Twentieth Century Restoration of the Diaconate

3.1 Vatican II and the Restoration of the Diaconate

It all began in January 1959 with Pope John XXIII calling for a bit of *aggiornamento* and the Second Vatican Council; suddenly change came to an ancient Church. Priests began facing the people in the pews and speaking in a language they understood, this was a revolution of symphonic liturgical volume. With the 1960's came a *rock and roll* cultural revolution, and greater expectations of future change in the church. By the late 1960's even the Beatles had gone from "*I want to hold Your Hand*" to "*Helter Skelter*", it was now a cacophony of contradictions, issues of war and sex, tradition and *Humanae Vitae*, and many priests left the Church, and deacons began arriving.

The third period of Vatican II began in January of 1964 as Pope Paul VI returned from an unprecedented pilgrimage to the holy land. These would be the most intense and prolific meetings of the council, with the completion of *Lumen Gentium* to occur within eleven months. The Bishop of Rome had met with the Patriarch of Constantinople for the first time in over five hundred years. *Aggiornamento* has become more than a word of introduction. Just as the Pope returned to Rome a song by American singer-songwriter Bob Dylan, *The Times They Are A-changin'*, was released; this song spoke about the signs of the times in American culture, but might have had more relevance in Rome than was appreciated at the time:

Come gather 'round people. Wherever you roam
And admit that the waters. Around you have grown

And accept it that soon. You'll be drenched to the bone
If your time to you. Is worth savin'
Then you better start swimmin'. Or you'll sink like a stone
For the times they are a-changin'.¹

This was the time of the Vatican II church; the aftermath of World War II was bringing unprecedented affluence to a broadening middle class in the United States, and modern universities were hosting speeches entitled *Revolution for the Hell of it*.² The Roman Catholic Church and the American family were not prepared for the signs of these times. Yet, these are the times that received the restoration of the Deacon in the United States, and the times that accelerated the exodus of priests and religious sisters and brothers from ministry in the church.

The twentieth century phoenix-like restoration of the deacon appears to have found its first kindling in mid-nineteenth century Germany. There was a growing concern about the excellence of ministry in the church, and in particular the minister's disconnection from the daily life of the people in their pews. This concern would continue to be observed in Germany through two world wars and expand throughout Europe to arrive in Rome, and then be heard extensively at the Second Vatican Council.

¹ Bob Dylan, *The Times They Are a-Changin'* (New York: Columbia Records, 1964).

² Abbie Hoffman and his Youth International Party presented talks entitled *Revolution for the Hell of it*, or similar topics at many United States Universities during the 1960s. Hoffman authored a book by the same title in 1968.

Josef Hornef suggests the restoration movement had its earliest beginnings in a cogent letter written to Fr. Melchior von Diepenbrock³ in 1840 by J.K. Passavant, a Frankfurt author and physician:

The priestly state is too sharply separated from that of the laity; the cause is in part celibacy, in part the ways things developed in earlier centuries, when only the clergy were scholars and, therefore, the contrast between priest and laity was almost always that of lettered and unlettered. . . . Here, it occurs to me, there are two alternative remedies: the Church can either permit priests to marry in the manner in which the Greek Uniates are permitted to do, or she can expand the sphere of activity of deacons, so that these men, who would be allowed to be married, could carry out in part the teaching office and other ecclesiastical functions, while the priest (who would therefore have to be senior) would exclusively administer the sacraments, especially confession. If in the considered opinion of the bishops, then, several deacons (archdeacons) could be drawn from the best educated ranks of the so-called laity, then the Church would have excellent ministers at her disposal.⁴

The critical issue of separation between minister and the people in the pews is at the heart of Passavant's call for more excellent ministry by either married priests or deacons. Expanding the sphere of the deacon is suggested in order to enhance the degree of correlation of experiential factors between minister and congregant. Circumnavigating the ministerial separation caused by a presbyter's celibate life was seen as critical in 1840, as I believe it still is today. One other issue particularly worthy of note and further

³ Melchior Ferdinand Joseph von Diepenbrock was born in Westphalia and served as a lieutenant in a Prussian Regiment fighting France in 1815. He went on to study finance and theology becoming an ordained priest in 1823, and bishop of Breslau in 1845. He vigorously fought against Prussian and Austrian incursions on church rights. He wrote treatises on mysticism and the sacramental powers of clerical touch. He came to sufficient esteem in the church to be elevated to Cardinal in 1850. *New Catholic Encyclopedia* Vol. 4. 2nd ed. (Detroit: Gale, 2003), 741.

⁴ Josef Hornef, *The Genesis and Growth of the Proposal, within Foundations for the Renewal of the Diaconate*, (Washington, D.C.: Bishops' Committee on the Permanent Diaconate, National Conference of Catholic Bishops, 1993), 6.

discussion is the necessity of proper education for deacons to be excellent ministers.

Passavant's suggestions continued and came to the immediate possibility of the restoration's implementation at a council:

. . . the second, however could be implemented *right now via a council*. . . . Individual communities would have to have some say in the selection of the bishops. . . . Just think about a bishop starting off, going forward with the mandate of an entire diocese (papal approval would always be essential), surrounded not only by the ranking clergy but also by the most qualified men (as archdeacons of their diocese). What institutions could be started up, set in motion. . . . what tremendous possibilities!⁵

Finally, by the time of Vatican II, Passavant's phoenix appears to be in the rising sun and prepared to be well launched; in fact the tremendous possibilities he saw are exactly those we had seen realized in the archidiaconal practices of the medieval church. The best educated laity being ordained by their bishop and serving him as archdeacons (as the most qualified men surrounding their bishop), recalls the story of the contributions of a young Hildebrand. Passavant's possibilities still lie in the future, as the restored deacon will not be launched to soar as mightily as a young Hildebrand, but rather to find a more subordinated, yet still meaningful ministry in assisting the presbyter in primarily liturgical pastoral parish ministry.

In November of 1964 the work of the Second Vatican Council first introduced the possibility of the re-establishment of the Permanent Diaconate within *Lumen Gentium*: A Dogmatic Constitution on the Church promulgated by Pope Paul VI. Forming a Christian Community is the topic of Article 3 of *Lumen Gentium*, which in its 29th paragraph states,

⁵ Josef Hornef, *The Genesis and Growth of the Proposal*, 6.

At a lower level of the hierarchy are deacons, upon whom hands are imposed “not unto the priesthood, but unto a ministry of service.” For strengthened by sacramental grace, in communion with the bishop and his group of priests they serve in the diaconate of the liturgy, of the word, and of charity to the people of God. . . . Dedicated to duties of charity and of administration, let deacons be mindful of the admonition of Blessed Polycarp: “Be merciful, diligent, walking according to the truth of the Lord, who became the servant of all.”

Since these duties, so very necessary to the life of the Church, can be fulfilled only with difficulty in many regions in accordance with the discipline of the Latin Church as it exists today, the diaconate can in the future be restored as a proper and permanent rank of the hierarchy. It pertains to the competent territorial bodies of bishops, of one kind or another, with the approval of the Supreme Pontiff, to decide whether and where it is opportune for such deacons to be established for the care of souls.⁶

This possibility came to pass nearly two decades after Pope Pius XII began the dialogue about the new order and after almost 5 years of discussion and drafting by coetus. Finally, *Lumen Gentium* had on a constitutional level opened the door for competent territorial bodies of bishops to seek the approval of the Supreme Pontiff to establish deacons in their territories. The work of restoring the diaconate as a permanent order then quickly gained momentum, in part because of the need for a new type of ministry and in part due to the already present priest shortage. Within *Lumen Gentium* the church has placed the diaconate “at a lower level of the hierarchy” in keeping with the earlier stage in the path to priesthood the order had most recently resided; the part the order of the deacon will play in ministry is yet to be truly defined.

⁶ Vatican II, *Lumen Gentium*, 3:29.

In June of 1967 Pope Paul VI promulgates *Motu Proprio* the Apostolic Letter *Sacrum Diaconatus Ordinem*, providing the general norms for restoring the permanent diaconate in the Latin Church. In 1967 it is within the authority of each competent territorial body of bishops that seeks to restore the diaconate to confer and seek approval of a proposed restoration from the Supreme Pontiff. The United States Conference of Catholic Bishops received approval of their plan in 1968 and Diocesan Bishops across the country began to consider the possibilities for the implementation of the restoration of the order of the permanent deacon.

3.2 Today's Diaconate

Recalling that prior to Vatican II the office of the Permanent Deacon had not been active within the Roman Catholic Church for almost one thousand years, we must appreciate the church is crafting almost anew the restored diaconate's ministerial functions. The Diaconate having served as a transition stage for seminarians on their path to the Priesthood also creates potential confusion surrounding ministerial functions. It is clear today that the Permanent Deacon has a unique calling as a third Sacred Order, fully set apart from the office of the Priest. Without great specificity as to parochial ministry, the spirit of change from the Second Vatican Council has supported Mother Church in the United States to call forth an army of nearly eighteen thousand deacons to enter into service of the faithful.

Who these deacons are and the definition of their ministry is the enterprise of this section. The bishops in the United States have not all chosen to ordain deacons, the pastors in churches where deacons have been assigned have not all chosen to deploy

deacons in the same manner; hence there is not a uniform ministry of deacons in the church across the United States. The dynamics of our mobile society create tensions about how a visitor or new member can join into the life of a congregation; however the universal form of the Roman Catholic mass provides an ease of entry for a Catholic into virtually any parish Mass on any Sunday. The role and function of the deacon, an integral ordained cleric, has not universally enjoyed this same ease of integration into the life of the church.

The deacon's tasks and the benefits of the unique married clergyman to have common experiential connections with the laity was the subject of an audience of Pope John Paul II in 1993:

The deacon's tasks include that of "promoting and sustaining the apostolic activities of the laity." To the extent he is more present and more involved than the priest in secular environments and structures, he should feel encouraged to foster closeness between the ordained ministry and lay activities, in common service to the kingdom of God.⁷

In particular, the Pope sought a ministry of a greater and more direct presence of in the various spheres of the family, work, school, etc., in addition to existing pastoral structures. The Holy Father was describing tasks in only the broadest manner, allowing the local bishop to establish within his own territory, the way in which the benefits of the deacon's *greater involvement among the laity*, might be structured in ministry

⁷ Pope John Paul II, General Audience, Deacons Have Many Pastoral Functions (October 13, 1993), no. 5, citing Pope Paul VI, Apostolic Letter, *Sacrum Diaconatus Ordinem*, (June 18, 1967), no. 22, English translation Vatican.Va..

The Diocesan Bishops who have chosen to ordain deacons then assign them to service, usually in a local parish, to be deployed in ministry under the supervision of the pastor within the guidelines of the National Directory.⁸ The general norms for a deacon's ministry are delineated in the National Directory, they provide only for the general functions a member of the order might undertake in a specific parish. There is no definitive normative ecclesiastical office for the diaconate's parochial deployment. The National Directory provides for:

The deacon participates as an evangelizer and teacher in the Church's mission of heralding the word. In the liturgy of the word, especially in the Eucharist or in those liturgies where he is the presiding minister, the deacon proclaims the Gospel. He may preach by virtue of ordination and in accord with the requirements of Canon Law.

During the celebration of the Eucharistic liturgy, the deacon participates in specific penitential rites as designated in the *Roman Missal*. He properly proclaims the Gospel. He may preach the homily in accord with the provisions of Canon Law. He voices the needs of the people in the General Intercessions, needs with which he should have a particular and personal familiarity from the circumstances of his ministry of charity. The deacon assists the presider and other ministers in accepting the offerings of the people—symbolic of his traditional role in receiving and distributing the resources of the community among those in need—and he helps

⁸ *Decree of Appointment*. A deacon shall receive a decree of appointment from his bishop, which should delineate his specific duties and responsibilities and the designation of his proper pastor or priest supervisor. *National Directory for the Formation, Ministry, and life of Permanent Deacons in the United States*. (Washington, D.C.: United States Conference of Catholic Bishops, 2005), 41.

to prepare the gifts for sacrifice. During the celebration he helps the faithful participate more fully, consciously, and actively in the Eucharistic sacrifice, may extend the invitation of peace, and serves as an ordinary minister of Communion. Deacons have a special responsibility for the distribution of the cup. Finally, he dismisses the community at the end of the Eucharistic liturgy. Other liturgical roles for which the deacon is authorized include those of solemnly baptizing, witnessing marriages, bringing *viaticum* to the dying, and presiding over funerals and burials. The deacon can preside at the liturgies of the word and communion services in the absence of a priest. He may officiate at celebrations of the Liturgy of the Hours and at exposition and benediction of the Blessed Sacrament. He can conduct public rites of blessing, offer prayer services for the sick and dying, and administer the Church's sacramentals, as designated in the *Book of Blessings*.⁹

The deacon by his ordination is enabled to exercise these services, however the National Directory carefully cautions, “. . . nevertheless, the concrete ways of carrying it out are diverse: these must be suggested by the different pastoral situations of the single churches.”¹⁰ It is left to the pastor to tend to his flock employing the deacon within the National Directory guidelines and church norms, but only to the extent he deems appropriate.

The customization of ministry to meet the pastoral needs of a parish certainly represents a worthy concern; yet the deacons “greater and more direct presence . . . in the various spheres of the family, work, school, etc.” has been defined as a deeply felt need of the council by Pope John Paul II. The church may be served by structuring a way to more fully utilize this cleric of “greater and more direct presence” in the customization of

⁹ *National Directory for the Formation, Ministry, and Life of Permanent Deacons in the United States*. (Washington, D.C.: United States Conference of Catholic Bishops, 2005), 19-21.

¹⁰ *Ibid.*

parochial ministry. Mother Church receives many pastoral data points and deploys norms for the implementation of doctrine in universal or particular norms, as subsidiarity and the legislator's vision deems wisest. The functions assigned to a deacon are evolving within this broad guidance and with local customs, we will look to alternative ecclesiology, after seeing who today's deacons are.

Today's deacons can still be viewed as a first generation if considered within the context of a nuclear family that is two thousand years old. However, we are beginning to see vocations from the children of deacons, regardless, the fifty-year history of the restored diaconate remains brief by most standards. In 1965 there were virtually no permanent deacons in the United States: in 2014 there are 17,464.¹¹ The growth of the population of deacons in the United States has been steady and the relatively consistent number of candidates for ordination suggests that diaconal ministry is beneficial and experiencing some significant positive response.

Table 3. United States Population of Permanent Deacons, Deacon Candidates, and Priests

	1965	1985	2005	2014
Permanent Deacons	na	7,204	14,574	17,464
Deacon Candidates	na	2,263	2,342	2,018
Total Priests	58,632	57,317	41,339	38,275

Source: CARA 2014¹²

¹¹ CARA Services, *Church Statistics 2014*, 1.

¹² Ibid.

The level of general education of the diaconate according to the Center for Applied Research in the Apostolate at Georgetown University is recorded in the CARA Deacon Poll of February 2001 reporting 26% of U.S. Deacons completed High School or had some college, while 30% were college graduates and 28% had attended professional or graduate school.¹³ There is no national requirement for a specific level of general or theological education. The National Directory prescribes a flexible approach to the training of deacons with the Diocesan Bishop retaining the authority to frame the program within universal law and conference guidelines, “The diocese should provide appropriate structures for the formation, ministry, and life of deacons.”¹⁴

The most commonly deployed structure for diaconal formation and education in the United States has been the freestanding local instruction program model, although the National Directory also allows for the use of university, seminary and collaborative models as well.¹⁵ Universal norms allow for the local conference of bishops to define the program although a more specific program is suggested for young men in formation for the diaconate.¹⁶

¹³ CARA, *A Report of Findings from CARA's Deacon Poll*, Profile of the Diaconate in the United States, 2001, Center for Applied Research in the Apostolate Georgetown University, (Washington, D.C.: CARA, 2001), 9.

¹⁴ *National Directory for the Formation, Ministry, and Life of Permanent Deacons in the United States*. (Washington, D.C.: United States Conference of Catholic Bishops, 2005), 124.

¹⁵ *Ibid*, 139.

¹⁶ The diocese should provide appropriate structures for the formation, ministry, and life of deacons. Possible structures include an office, a policy board, admissions and evaluation committees, and so forth. Some practical functions of a diocesan diaconate structure include collaboration, formation planning, policy development, and post-ordination activities. Canon 236 “According to the prescripts of the conference of bishops, those aspiring to the permanent diaconate are to be formed to nourish a spiritual life and instructed

Today's deacons are substantially family men with roots in the communities they serve and a participant in the secular environments and structures. The deacon is also present at the celebration dressed as ordained clergy reading the Gospel, possibly preaching, and thereby creating a prominent presence as part of church through the sounds and images received by attendees; he is significantly differentiated from lay ministers. The deacon frequently serves in a parish where he was formerly a parishioner.

Upon joining a parish, most frequently deacons acting as servant leaders become an integral part of most parish service missions, as well as participate in the celebration of Mass. The CARA Deacon study finds that:

Almost nine in ten deacons preach homilies. Of these deacons, they are most likely to preach on the topics of helping the poor and needy (48 percent), respect for life (39 percent), social justice (37 percent), and social concerns in the United States (35 percent) "very often." Eight in ten deacons who preach homilies or who assist at Masses say they get a "great deal" of satisfaction from these activities.

Within the Roman Catholic Church deacons are also differentiated from priests in that priests are full time clerics while deacons are not usually, "73% are not compensated and 38% held secular jobs while serving as Deacons". Today the diaconate is primarily Caucasian, "More than eight in ten deacons (86 percent) are non-Hispanic White and one

to fulfill correctly the duties proper to that order." *Code of Canon Law-English Edition*, Canon Law Society of America, 71.

in ten self-identifies as Spanish, Hispanic, or Latino.”¹⁷

The deacon in the United States is significantly more aged than his international counterpart. “It was not uncommon for my international deacon colleagues to suggest that the diaconate in the United States has been turned into a retirees club”, said Deacon William Ditewig. Ditewig, who served as head of the U.S.C.C.B.’s Secretariat for the Diaconate from 2002 through 2007, responded to concerns about diaconate integration within the church mission, “ This mission of evangelization and service is at the core of our identity, and all of us have an active role to play in it. Deacons, through their lives and ministry, serve the rest of the church in carrying out the mission.”¹⁸ Ditewig clearly feels the challenges and possibilities for further development and deployment of Deacons is an exciting frontier for the Roman Catholic Church.

Table 4. 2007 Distribution of Deacon’s Ages

Age	35-39	40-49	50-59	60-69	70-79
Percentage of Deacons	1%	9%	29%	39%	39%

Source: CARA 2007¹⁹

Deacons are ordained by their Bishop to serve the Diocesan Community linked today with its missionary dimensions, and closely attuned to the ministry of the laity.

¹⁷ CARA, *A Report of Findings from CARA’s Deacon Poll*, 9.

¹⁸ Ditewig, *The Emerging Diaconate.*, 26.

¹⁹ CARA, *A Report of Findings from CARA’s Deacon Poll*, 9.

These works of service are to include charity and liturgy, with specific attention to the ministry of the word, in support of the pastor. Although still evolving, the data describes a diaconate in the United States that is almost entirely devoid of the younger man alternative that the restoration of the diaconate allows for under canon law and the conciliar documents. Ditewig, concluded in part that, "In light of these factors, it is important to discern the proper areas of ministry for the diaconate, so that it does not develop into a kind of substitute for sacerdotal ministry, on one hand, or a clericalized form of lay ministry on the other."²⁰

Sacrum Diaconatus Ordinem declared in part, ". . . it pertains to the deacon, to the extent that he has been authorized by the local ordinary, to attend such function: . . . 9. To carry out in the name of the hierarchy the duties of charity and of administration as well as works of social assistance."²¹ The deacon in the United States today does not include a substantial participation of single males comprising all the forms of ministry engagement that the restoration enabled. The deacons' charism of word and liturgical service is not stipulated to the exclusion to the function of administration of temporal goods, but seems rather to have been conceived as a complement within a most practical ministerial frame, the praxis of which would allow for a special team ministry to evolve. The diaconate of today appears ready to be developed into a new iteration of ministry excellence; left alone as a subordinated liturgical cleric it might once again begin to fuel its phoenix-like pyre.

²⁰ Ditewig, *The Emerging Diaconate*, 41.

²¹ Pope Paul VI, Apostolic Letter given Motu Proprio *Sacrum Diaconatus Ordinem*, *General Norms for Restoring the Permanent Diaconate in the Latin Church*, 1967. English translation, Vatican. VA.

3.3 A Prolonged Temporary Priest Shortage

As already stated in the introduction, the Roman Catholic Church since the Second Vatican Council has been mandated through the promulgation of *Lumen Gentium* to seek salvation for the entirety of God's people.²² With only 68% of today's 26,265 diocesan priests active in parish ministry and 12,010 religious priests to help, the pastoral care of the nearly 80 million Catholics in the United States is stretched thin. There have been more than 1,000 parishes in the United States without a priest as pastor for over thirty years; today there are more than three times those numbers.

In examining the priesthood of the last one hundred years in the United States, Mary Gautier said, "By far the most striking trend to come from these data, and probably the one trend that is having the most immediate impact on priestly life in the United States, is the aging of the priesthood".²³ Today the diocesan bishops in the United States have less than 18,000 priests to directly assign to serve their faithful in the pews, and they can then call for support from religious orders to assist

²² The Dogmatic Constitution on the Church *Lumen Gentium* promulgated November 21, 1964 by Pope Paul VI declares in its opening paragraph On the Mystery Of The Church that "The present-day conditions of the world add greater urgency to this work of the Church so that all men, joined more closely today by various social, technical and cultural ties, might also attain fuller unity in Christ"

²³ Gautier, *Same Call, Different Men*, 270.

in pastoring churches. The shortage of priests is now well established, and does not take on the appearance of a statistical anomaly (e.g. such as a situation that appeared very suddenly or is potentially altered in the near future by a new influx of ordinations).

Why is the nature of this shortage of priests important for ecclesiological considerations? In considering the construction of a permanent dwelling one does not contemplate employing the materials suitable for a tent. Conversely, the substance of commitment within a team setting up a tent for a night might fall well short of that which is essential for a permanent dwelling place. I suggest that ministry constructed with the ecclesiological stability of a tent might not serve well as a dwelling place to recruit and form the excellent ministers the faithful deserve.

The shortage of Priests appears to be of some continuing duration, and the church leadership of Vatican II apparently perceived this possibility as they conceived of a number of resources and avenues to help in the care of the souls of the faithful in the absence of sufficient priests to pastor each parish. The deacon is one such resource and canon 517 is such an avenue.²⁴

²⁴ CANON 517 §1 When circumstances require it, the pastoral care of a parish or of different parishes together can be entrusted to several priests *in solidum*, with the requirement, however, that in exercising pastoral care one of them must be the moderator, namely, the one who is to direct the joint action and to answer for it to the bishop. §2 If, because of a lack of priests, the diocesan bishop has decided that participation in the exercise of the pastoral care of a parish is to be entrusted to a deacon, to another person who is not a priest, or to a community of persons, he is to appoint some priest who, provided with the powers and faculties of a pastor, is to direct the pastoral care. *Code of Canon Law-English Edition*, Canon Law Society of America, 169.

3.4 Parishes without Priests as Pastors

Parishes without priests as pastors provide difficult circumstances for the sacramental needs of the faithful, and for the bishop's duty to fulfill them. So in the years leading up to the drafting of the Code of Canon Law of 1983 the *coetus De Sacra Hierarchia*, spent a significant amount of time considering this issue, both theologically and canonically. They came to a compromise, to entrust a group of priests to direct the care of souls in which a participation would be entrusted to a non-presbyter. No title was designated for the non-presbyter local church coordinator entrusted with the participation.

Table 5. Parishes, Parishes without Pastors, Deacons and Parishes under canon 517 §2

	1965	1985	2005	2014
Parishes	17,637	19,244	18,191	17,483
Parishes without a Priest as Pastor	549	1,051	3,251	3,496
Permanent Deacons	na	7,204	14,574	17,464
Parishes under Canon 517 §2	na	93	553	388

Source: CARA 2014²⁵

Statistically, it appears that the canon 517 §2 solution has fallen short of the mark, still leaving over 3,000 parishes entrusted to neither a priest as pastor or to a group to share in the administration of the care of souls. Canon 517 §2 begins with “If, because of a lack of priests, the diocesan bishop, has decided. . .”; this canon's existence and its language suggest there might be a continuing shortage of priests, and that the ecclesiological

²⁵ CARA Services, *Church Statistics 2014*, 1.

equivalent of a tent might suffice in the absence of a dwelling place for the parish faithful. The pastoral lacuna left in over 3,000 parishes, has resulted in over-burdened priests covering multiple churches and parishes being underserved.

From the time of the Early Church, through many changing circumstances, Christians of diverse gifts and talents have been called to church service in evolving forms of ministry. The Apostles sought seven to serve so that they might be able to focus on their primary undertaking seeking and sharing the word of God. Over many centuries, ordination had served to mark the character of deacons to live a life dedicated to service of their bishop in the administration of his church. The twentieth century priest shortage challenged the church's ability to provide for the full care of souls in every parish with the appointment of a priest as pastor. Since the time the direct pastor entrusted with the care of souls was a bishop, the church has legislated that this function is to be assigned to one who is ordained to the priesthood.²⁶

Such are the circumstances that led the *coetus De Sacra Hierarchia* and the final legislators of the 1983 Code of Canon Law to seek to provide for the temporary participation in the exercise of pastoral care by persons not marked by the character of a priest. This specific concern yielded this part of the text of canon 517 §2:

If, because of a lack of priests, the diocesan bishop has decided that participation in the exercise of the pastoral care of a parish is to be entrusted to a deacon, to another person who is not a priest, or to a

²⁶ The simple practice of one priest as pastor for one parish becomes taxed by the priest shortage, presenting canonical challenges to licitly caring for souls. Canon law requires that a member of the priestly order fill an office that entails the full care of souls. (cf. canon 150) and that in order to validly become a pastor one must be in the sacred order of the presbyterate (cf. canon 521 §1)

community of persons, he is to appoint some priest who, provided with the powers and faculties of a pastor, is to direct the pastoral care.²⁷

The *coetus* did not look to the diaconate in a special way, but only gave him a subtle priority as the first in a list to be entrusted the participation in the exercise of the pastoral care, and then to another person who is not a priest, or to a community of persons.

Why was the deacon not restored to a set of functions with greater authority more clearly defined along the ancient and medieval traditions, or granted an ecclesiastical office within canon 517 §2 parishes? In 1983 the restored diaconate was certainly a new and untested order. More critically, there was a substantial concern in the early drafting that any participation in the care of souls might be ever given to a non-presbyter. However, under a canon 517 §2 structure the subordination of the deacon to the presbyter mandated with the power of pastor is clear. Establishing the deacon more clearly as the preferred administrator of a parish seemed to have been possible without threatening the role of the priest within a canon 517 §2 parish.

It is important in the absence of clarity or in the theological analysis of a law to seek out the mind of the legislature. The final legislators of the 1983 Code of Canon Law made it meticulously clear that the church required carefully selected and formed men to be the priests who would serve as pastors; with equal care they sought stability in the ecclesiastical office of pastor. Canon 522 states, “A pastor must possess stability and

²⁷ *Code of Canon Law, Latin-English Edition*, Canon Law Society of America, 169.

therefore is to be appointed for an indefinite period of time . . .”²⁸ This provision of stability of ministry for the parish faithful is in keeping with the needs of the faithful and the duties of church as detailed in *Lumen Gentium*:

For the nurturing and constant growth of the People of God, Christ the Lord instituted in His Church a variety of ministries, which work for the good of the whole body. For those ministers, who are endowed with sacred power, serve their brethren, so that all who are of the People of God, and therefore enjoy a true Christian dignity, working toward a common goal freely and in an orderly way, may arrive at salvation.²⁹

The 1983 Code of Canon Law concludes with a discussion of removal and transfer of pastors; this final canon indicates the legislator’s concurrence enacting that which *Lumen Gentium* seeks: “. . . the salvations of souls, which must always be the supreme law in the church, is to be kept before one’s eyes.”³⁰ In considering the application of canon 517 §2, in both universal and particular norms, I believe the apparent mind of the legislator demonstrates a preference for the subordination of the deacon, possibly overriding the legislator’s desire to provide stability of ministry for the parish.

Looking now to the enactment of canon 517 §2, it is fundamentally provisioning an emergency approach for the diocesan bishop who faces a shortage of priests, enabling him to supplement a moderator non-pastor priest’s pastoral care for a parish with non-

²⁸ Canon 522 "A Pastor Must Possess Stability and Therefore Is to Be Appointed for an Indefinite Period of Time. The Diocesan Bishop Can Appoint Him Only for a Specific Period If the Conference of Bishops Has Permitted This by a Decree." *Code of Canon Law: Latin-English Edition*, Canon Law Society of America, 171.

²⁹ Dogmatic Constitution on the Church: *Lumen Gentium*. Flannery, Austin, ed. *Vatican Council II: The Conciliar and Post Conciliar Documents*. 2nd ed., (Northport, NY: Costello Publishing, 1996).

³⁰ CAN. 1752 "In Cases of Transfer the Prescripts of Can. 1747 Are to Be Applied, Canonical Equity Is to Be Observed, and the Salvation of Souls, Which Must Always Be the Supreme Law in the Church, Is to Be Kept before One's Eyes." *Code of Canon Law: Latin-English Edition*, Canon Law Society of America, *Law: New English Translation*, (Washington, DC: Canon Law Society of America, 538.

priest persons' parochial participation.³¹ The individuals who may be entrusted with pastoral participation include members of three potential universes of ministers: a deacon, a person who is not a priest, and a community of such persons. This non-priest minister, although only vaguely contemplated by the canon, seems to be best envisioned as a parochial coordinator, although never titled or established as an ecclesiastical office.

The data suggests that the pastoral challenging priest shortage addressed in canon 517 §2 does not take on the appearance of a short-lived anomaly, but rather seems to have the character of a persistent environment. In examining the canon, John Provost suggests the concept of a new form of ministry rather than a temporary replacement model. His work brings significant respect to the parish challenges ahead; he suggests that the canon connotes an emergency long-term situation, not a temporary or momentary matter.³²

The canonical context of the circumstances requiring extraordinary pastoral measures (cf. canon 517 §1) is described as a lack of priests (cf. canon 517 §2). Canon 17 demands, "Ecclesiastical laws must be understood in accord with the proper meaning of the words considered in their text and context."³³ A careful analysis of the context of

³¹ The diocesan bishop is to entrust the care of a vacant parish to one he feels is suitable (cf. canon 524). Canon 515 §2 provides that it is only for the diocesan bishop to erect, suppress or alter parishes. Hence the mind of the legislator suggests that it is up to the diocesan bishop, once he has heard the presbyteral council, to make any alterations in a parish. We might infer that pastoral ministry alternatives to the provisions of canon 517 §2 might well be a part of his considerations. After other considerations, canon 517 §1 provides that under the circumstances requiring it, pastoral care may be entrusted to several priests *in solidum* with one priest moderator, responsible and reporting to the bishop.

³² John Provost, *Temporary Replacements or New Forms of Ministry: Lay Persons with Pastoral Care of Parishes*. In *In Diversitate Unitas* ed. Monsignor W. Onclin Chair. 43-70. (Louvain: Uitgeverij Peeters, 1997). Pg 64.

³³ *Code of Canon Law-English Edition*, Canon Law Society of America, 169.

canon 517 §2 and its text suggesting the establishment of a *structural solution* implies the contemplation of more than a temporary undertaking. Canonical legislation is not intended to substitute for the administrative powers of governance more appropriately attuned to the ordinary operations of the church. However, the canon is significantly silent as to the rules for the implementation of this structure. The breadth and scale of this undertaking implies the possible necessity of a structure including an ecclesiastical office as discussed earlier (cf. canon 145).

The risks of an ill-defined temporary structural solution for a persisting problem are significant. Substantial ministry undertakings require substantial intentional planning, training, and true structural stability in order to be most effective. First, temporary local implementations are addressing issues that possibly warrant a more universal action; additional parochial structures, ecclesiastical offices, temporal operating rules and the allocation of lay and ordained participants' responsibilities. These issues surround the care of souls and the parish as a community stably constituted and entrusted to a pastor (cf. canon 515 §1). Second, the necessity of presbyters as pastors is envisioned in part because of the stability they bring to the community of the faithful, both in ordination's gifts, but also in the term of service they are incardinated and assigned to fulfill. Unlike the laity, the diaconate receives gifts through ordination, marked with an indelible character and constituted as Sacred Ministers by the Sacrament of Holy Orders,

as well as stability in formation and in term of service.³⁴

Finally the extraordinary pastoral care is to be directed by a moderator priest who is provided with the powers and faculties of a pastor (c. 517 §2). The moderator priest and this parochial coordinator are bound together to achieve the formation of this community of the faithful. This bonding structure is of great ecclesiological importance, as it will define the cooperation necessary to deliver pastoral and temporal care to the community. The legislator's silence regarding an ecclesiastical office for a deacon as a parochial administrator is potentially deafening for the parish community that is in need of stability and clarity in receiving the gospel message of the universal church.

3.5 Theological Concerns

Today the permanent deacon's ordained office has a unique calling as a third sacred order, fully set apart from the order of the priest. The general norms for restoring the permanent diaconate call for the deacon to attend to: reading the sacred books of Scripture to the faithful and to instruct and exhort the people; to direct the liturgy of the word, particularly in the absence of a priest: and to guide legitimately, in the name of the parish priest and of the bishop, remote Christian communities.³⁵ Diaconal ministry is

³⁴ Canon 1008 "By Divine Institution, Some of the Christian Faithful Are Marked with an Indelible Character and Constituted as Sacred Ministers by the Sacrament of Holy Orders. They Are Thus Consecrated and Deputed so That, Each according to His Own Grade, They May Serve the People of God by a New and Specific Title." *Code of Canon Law: Latin-English Edition*, Canon Law Society of America, 321.

³⁵ The Apostolic Letter *Sacrum Diaconatus Ordinem* given Motu Proprio by Pope Paul VI on June 18, 1967 established the general norms and certain specific responsibilities to which a deacon should attend, including the three above mentioned.

servant-leadership by its nature providing living testimony: his undertakings include service through administration, charity, word and sacrament.³⁶ The administration and guidance of Christian communities, remote or central, in the name of his bishop is the historical work of the deacon in the early church and medieval times. The essence of these functions has created no theological concern; however the issues that caused the intense subordination of the diaconate into virtual extinction historically, seem to remain in active priestly memory.

Theologically the deacon's life as a married family man participating fully in the local community enhances his unique ability to relate to the challenges facing God's people along the road to salvation. His active role as an ordained minister supports his ability to communicate the Gospel message as does his appearance as the Primary Reader of the Gospel during the celebration of Mass. As an ordained clergyman the deacon is a full time minister according to church teaching, yet the primary allocation of his time is most frequently spent in a profession outside the sphere of church; in this the theology of full time ministry among the ordained is challenged by reality of practice.

The Hellenists were complaining against the Hebrews that the daily distribution of food was being neglected. The parish life of these growing numbers of early disciples was experiencing an apostle shortage. The theology in the Apostle's response was simple; it contained two orders of servants each with their own function, a discrete office of responsibilities for the seven called to serve. The theology is clear in that each order is

³⁶ William Ditewig, *Charting a Theology of Diaconate, in Theology of the Diaconate*, Cummings, Ditewig Gaillardetz ed. (New York: Paulist Press, 2005), 31.

to serve God in relationship with his community conducting different necessary functions.

In his remarks on the practical norms for restoration of the diaconate, Karl Rahner, S.J. comments, “. . . that we should not create more or less artificial offices, which are not demanded by the needs of the care of souls but are created simply in order to be able to confer an ordination to the diaconate.”³⁷ Theologically the historical (early and medieval church) implementation of the diaconate served in real offices of responsibility demanded by the needs of the care of souls, meeting Rahner’s test for creation of the office.

There is no evidence of a shortage of priests as the early church formed beyond the first apostles, because new numbers of bishops were ordained to serve their flocks and deacons ordained to fulfill discrete temporal functions. Over time archdeaconries were formed to better organize the church in its service to the faithful. Theologically we saw the diaconate as an order prosper in its own discrete office of service. In time the praxis of archdeacons as powerful overseers of priests collided with the discrete clerical function model. It was here, as the archdeacon office extended beyond the theology of the diaconate, that the order fell to ashes.³⁸

³⁷ Karl Rahner, S.J., *The Theology of the Renewal of the Restoration of the Diaconate in Foundations for the Renewal of the Diaconate*, (Washington, D.C.: Bishops’ Committee on the Permanent Diaconate National Conference of Catholic Bishops, 1993), 175.

³⁸ The archdeacon performed the ordinary functions of the diaconate as they were prescribed by the Apostles for the seven chosen to serve, but these functions were not limited to the ordinary functions of today’s deacon, nor would those functions be essentially forbidden to today’s deacon under current universal norms or any definition of divine law. To counterpoint, today’s diaconate’s function is

Has the restoration of the diaconate as implemented in the United States created a function sufficiently discrete to theologically meet Rahner's test warranting ordination? I believe the answer is "not yet". One might consider, would there be a need for a discrete order to perform the functions today's deacons perform?, if there was no shortage of priests to implement the pastoral care of souls.

theologically centered within and subordinated to the work of the presbyter. Some would protest, acting as a glorified altar server.

4. Future Possibilities for the Diaconate

4.1 The Potential of Today's Deacon

“*Digitus Dei?*” Josef Hornef asks if it is the finger of God that we find in the genesis and growth of the proposal for the restoration of the diaconate? The potential of the deacon as a discrete office ordained to serve has been proven in its thriving during early and medieval church history. Cardinal Melchior von Diepenbrock responded to Dr. Passavant’s exhortation on diaconate possibilities of 1840:

All open-minded, thinking people perceive the need to restructure the Church, but only the very few grasp the way to do it as clearly as you have done. I consider the fact that such ideas are being publicly expressed as an act of love toward mankind.¹

Passavant’s point was that the priestly state is too sharply separated from that of the laity and married deacons should have their sphere expanded in the church.

It is in the deacon’s proximity to the experiences of the life of the laity that the diaconate experiences a pastoral gift. It is in the ministry of service within a discrete function of administration that the order of the diaconate theologically warrants a unique ordination. The scriptural and historical notions surrounding the diaconate are important to the foundations of the order; however the critical issue relevant to the possibility of the

¹ Josef Hornef, *The Genesis and Growth of the Proposal*, 16.

diaconate attaining its potential for the church today lies in the selection, training, formation, and appointment of future deacons for discrete ecclesiastical offices.

4.2 Prescription for Tomorrow's Deacons

The establishment of an ecclesiastical office for parochial diaconate administration can provide a specific discrete set of functions to insure the proper and necessary administration of temporal goods, as well as a charitable and liturgical participation in the life of the church. This can be beneficial to the church universally. It is a sign of our times that deacon formation and education will require a new intensive paradigm in order to attain the specialization necessary to be supportive of expanded discrete ministry functions.

The possibility of some deacons becoming trained as education administrators and employed in Catholic Schools as part of their profession, as opposed to holding outside secular jobs, could provide important role models for Catholic school students and further the professional integration of deacons within the church. The historic importance of religious sisters as significant role models for youth within Catholic school systems is worthy of particular note as we consider the need for ordained clergy to support Catholicity at the parish level. Future canonical provision for the church's pastoral ministry must carefully consider the risks to the faithful and in particular our youth from the expanding cultural and theological lacuna created by an absence of ordained clergy and religious at the parish and its Catholic school.

Optimizing the formal integration of deacons within ecclesiastical offices in parochial church operations can create new parish vibrancy. However, the success will eventually be defined by who are selected to be the deacons. The Christian faithful deserve deacons who can be excellent ministers, serving in well defined church offices-- but also they deserve deacons they can relate to. The church must look to the socio-cultural make up of the people in the pews as a cohort, in order to define who the deacon of tomorrow should be. Former minorities are now becoming our church's largest stakeholders: the needs of the pew population of Hispanic people and women both deserve to be considered more vigorously today. Their presence among the faithful in the church is unwavering and deserves consideration for service to their own cohort as deacons.

The possibility of an ordained ministry for women as deacons is still "an open question" within the Church. Today ordination is canonically reserved to men.² The future ministry benefits of a clergy more closely mirroring the make up of the people in the pews must be considered. The Order of Deacons ordination to service is theologically not the same as ordination to the Order of Priest, which is ordained to serve acting *in persona Christi Capitis*. Hence, hypothetically, ordaining women, as deacons would therefore represent a different theological concern contrasted to ordaining women as priests. This is an important ecclesiastical concern for universal legislation; it is certainly

² Canon 1024 "A Baptized Male Alone Receives Sacred Ordination validly". *Code of Canon Law-English Edition*, Canon Law Society of America, 325.

a subject of ecclesiastical law, not purely divine law, and a legislative matter for the Holy See.

It is said that Mother Church in Rome moves slowly, some say it is a blessing that has insured her survival; some say it is more like a curse sealing her doom. Optimism is at the heart of our church of hope, and excellence in future ministry is necessary to fulfill the mandate of *Lumen Gentium* to seek the salvation of the entirety of God's people. So I contend that the entirety of God's people might best be served, if they are all represented in ordained ministry, for *the Supreme Law in the Church is the salvation of souls*.

The bishop ordains deacons to serve, not to the priesthood acting *in persona Christi Capitis*. As servant leaders in a servant church the deacon has a unique potential among clerics to relate to the challenges facing God's people along the road to salvation. The history of some of our church's darkest days are still alive in the active memories of the living victims. A priesthood that resided on an elevated platform fell victim to human frailty and sin in a sexual abuse crisis that might have, in some cases been mitigated by a less isolated structure of ministry. A parochial structure that includes checks and balances is critical to responsible ecclesiology; it is only God and the Holy Father whose decisions and laws are not appealable. Our human frailty and today's institutional complexity combine to create a special need for a parochial leadership structure with two primary members.

The possibilities are both exciting and revolutionary for two discrete ecclesiastical offices: one of priest as pastor and a second of deacon as parish administrator, both

reporting to their bishop and together evangelizing God's people. The offices would require overlapping formation and training, but also discrete specialized training. The age of the Renaissance man has long since passed away, and technology is still accelerating ministries' challenges and possibilities. Be it in a remote parish without a priest as pastor or an archdeaconry of ages gone by, there is no theological or canonical blockade to a deacon being called to service in administering parochial temporal goods and supporting their bishop's flock. The phoenix like deacon need not perish in a pyre made of liturgical subordination, but might soar on the wings of a new ecclesiology for tomorrow, not conflicting with presbyters, but enhancing the ministry of Mother Church.

Appendix A

The 27 Dictates of the Pope

- That the Roman church was founded by God alone.
- That the Roman pontiff alone can with right be called universal.
- That he alone can depose or reinstate bishops.
- That, in a council his legate, even if a lower grade, is above all bishops, and can pass sentence of deposition against them.
- That the pope may depose the absent.
- That, among other things, we ought not to remain in the same house with those excommunicated by him.
- That for him alone is it lawful, according to the needs of the time, to make new laws, to assemble together new congregations, to make an abbey of a canonry; and, on the other hand, to divide a rich bishopric and unite the poor ones.
- That he alone may use the imperial insignia.
- That of the pope alone all princes shall kiss the feet.
- That his name alone shall be spoken in the churches.
- That this is the only name in the world.
- That it may be permitted to him to depose emperors.
- That he may be permitted to transfer bishops if need be.
- That he has power to ordain a clerk of any church he may wish.
- That he who is ordained by him may preside over another church, but may not hold a subordinate position; and that such a one may not receive a higher grade from any bishop.
- That no synod shall be called a general one without his order.
- That no chapter and no book shall be considered canonical without his authority.
- That a sentence passed by him may be retracted by no one; and that he himself, alone of all, may retract it.
- That he himself may be judged by no one.
- That no one shall dare to condemn one who appeals to the apostolic chair.
- That to the latter should be referred the more important cases of every church.
- That the Roman church has never erred; nor will it err to all eternity, the Scripture bearing witness.
- That the Roman pontiff, if he have been canonically ordained, is undoubtedly made a saint by the merits of St. Peter; St. Ennodius, bishop of Pavia, bearing witness, and many holy fathers agreeing with him. As is contained in the decrees of St. Symmachus the pope.
- That, by his command and consent, it may be lawful for subordinates to bring accusations.
- That he may depose and reinstate bishops without assembling a synod.
- That he who is not at peace with the Roman church shall not be considered catholic.
- That he may absolve subjects from their fealty to wicked men.

Ernest F. Henderson, Trans., *Select Historical Documents of the Middle Ages*, (London: George Bell and Sons, 1910), pp. 366-367

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